



5-1-2001

# A Deafening Silence: Various School Systems' Reactions to Student Sexual Victimization by School Personnel

Marilyn K. Snyder

Follow this and additional works at: <https://commons.und.edu/theses>

---

## Recommended Citation

Snyder, Marilyn K., "A Deafening Silence: Various School Systems' Reactions to Student Sexual Victimization by School Personnel" (2001). *Theses and Dissertations*. 1120.  
<https://commons.und.edu/theses/1120>

This Dissertation is brought to you for free and open access by the Theses, Dissertations, and Senior Projects at UND Scholarly Commons. It has been accepted for inclusion in Theses and Dissertations by an authorized administrator of UND Scholarly Commons. For more information, please contact [zeinebyousif@library.und.edu](mailto:zeinebyousif@library.und.edu).

A DEAFENING SILENCE: VARIOUS SCHOOL SYSTEMS' REACTIONS TO  
STUDENT SEXUAL VICTIMIZATION BY SCHOOL PERSONNEL

by

Marilyn K. Snyder  
Bachelor of Science, Dickinson State University, 1969  
Master of Arts, Pittsburg State University, 1970

A Dissertation

Submitted to the Graduate Faculty

of the

University of North Dakota

in partial fulfillment of the requirements

for the degree of

Educational Doctorate

Grand Forks, North Dakota

May  
2001



Copyright by  
Marilyn Snyder  
2001

This dissertation, submitted by Marilyn K. Snyder is partial fulfillment of the requirements for the degree of Doctor of Education from the University of North Dakota has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

Kathleen Gossman  
(Chairperson)

Marybeth Lapock

David R. Smith

J. McKenzie

Thomasine Heitkamp

This dissertation meets the standards for appearance, conforms to the style and format required of the Graduate School of the University of North Dakota, and is hereby approved.

Carl Fox  
Dean of the Graduate School


### PERMISSION

Title           A Deafening Silence: Various School Systems' Reactions to Student  
Sexual Victimization By School Personnel

Department   Teaching and Learning

Degree        Doctor of Education

In presenting this dissertation in partial fulfillment of the requirements for a graduate degree from the University of North Dakota, I agree that the library of this University shall make it freely available for inspection. I further agree that permission for extensive copying for scholarly purposes may be granted by the professor who supervised my dissertation or, in her absence, by the Chairperson of the department of the Dean of the Graduate School. It is understood that any copying or publication or other use of this dissertation or part thereof for financial gain shall not be allowed without my written permission. It is also understood that due recognition shall be given to me and to the University of North Dakota in any scholarly use which may be made of any material in my dissertation.

Signature   
Date 5-14-01

## TABLE OF CONTENTS

	Page
LIST OF FIGURES.....	x
ACKNOWLEDGMENTS.....	xi
ABSTRACT.....	xii
CHAPTER	
I. INTRODUCTION.....	1
Problem Statement.....	5
The Professional Significance of the Study.....	8
Limitations of the Study.....	11
Summary.....	13
II. REVIEW OF RELATED LITERATURE.....	15
The Problem of Sexual Abuse of Students.....	15
Definitions of Sexual Harassment and Sexual Abuse.....	16
The Extent of Sexual Abuse of Students by School Personnel.....	21
The Characteristics of the Abuser and the Abused.....	28
The Abuser.....	28
The Abused.....	35
The Potential Consequences to Students From Abuse.....	39

The Legal Responsibilities of Schools.....	52
Need for Further Research.....	59
III. METHODOLOGY.....	60
Qualitative Research.....	61
The Setting.....	64
The Pilot Study.....	68
Selection and Description of Participants.....	71
Data Collection.....	76
Data Analysis.....	81
Coding.....	82
Categories.....	83
Patterns.....	83
Assertions.....	86
Researcher Bias.....	89
IV. PRESENTATION OF FINDINGS.....	92
Stage One Decision - Victimization.....	93
Assertion #1: The decision-making process may begin prior to the official notification to the system of possible sexual abuse of a student.....	95
Subassertion #1a: In most cases school authorities may have some level of knowledge of victimization before the reporting occurs.....	96
Subassertion #1b: Characteristics of the victim that lead to the victimization may tend to make	



reporting by a victim uncommon.....	100
Subassertion #1c: In most cases, reporting may come from someone close to the victim who has reason for concern.....	108
Stage Two Decision - Accept or Reject.....	112
Assertion #2: Characteristics of the victim, the perpetrator, community and school are major considerations in actions taken by school board officials as they accept or reject a report of sexual abuse of a student.....	114
Subassertion #2a: School officials willingness to accept a report of sexual abuse of a student may be influenced by the status of the accused adult.....	116
Subassertion #2b: The characteristics of the victim may enter into the believability of the report.....	121
Subassertion #2c: Decision-makers may take into account the credibility of the accused before accepting or rejecting a report.....	125
Subassertion #2d: The characteristics of the community may influence the decision- making process.....	129
Subassertion #2e: The school environment may influence the decision-making process.....	136
Stage Three Decision - Type of Action.....	140
Assertion #3: Decisions to act can be influenced by community expectations and can determine the type of action taken.....	140
Subassertion #3a: The level of blame placed on the victim may influence the decision- making process.....	141

Subassertion #3b: Extent of the knowledge of the situation may influence the decision-making process.....	145
Subassertion #3c: The level of outrage, based on the type of abuse, may influence the decision-making process.....	151
Stage Four Decision - The Aftermath.....	156
Assertion #4: The type of decision made can have an influence on the victim, school system and community for an extended period of time.....	157
Subassertion #4a: The extent of the knowledge of the situation can determine what punitive steps may be taken.....	157
Subassertion #4b: The immediate future of the victim and perpetrator can be influenced by the decision made by school officials.....	163
Subassertion #4c: The life of the victim can be influenced for the long term by the decision made by school officials.....	168
V. CONCLUSIONS, IMPLICATIONS, AND RECOMMENDATIONS.....	172
Conclusions.....	173
Stage One - Victimization.....	175
Stage Two - Accept or Reject.....	176
Stage Three - Type of Action.....	177
Stage Four - The Aftermath.....	178
Implications of the Study.....	178
Implications for female victims within the school systems.....	178

Implications for male victims within the school systems.....	182
Implications for perpetrators within the school systems.....	184
The Lasting Effects of Schools' Responses.....	188
Confirmation by Educators.....	192
The Results.....	193
Conclusions.....	196
Recommendations.....	197
APPENDICES.....	203
Appendix A: Letter.....	204
Appendix B: Interview Questions.....	205
Appendix C: Consent Form.....	208
REFERENCES.....	209



## LIST OF FIGURES

Figure	Page
1. Descriptions of participants in the study.....	77
2. Codes, categories and patterns identified in the research process.....	87
3. The stages of decision-making during a reporting of victimization.....	90
4. Themes, assertions and subassertions based on the codes and patterns.....	91

## ACKNOWLEDGMENTS

I am grateful to the members of my advisory committee, Dr. Kathleen Gershman, Dr. Mary Ruth Laycock, Dr. Dan Rice, Thomasine Heitkamp, and Dr. James McKenzie, all of whom have offered helpful comments on this text as well as their support. I also want to thank Dr. Richard Landry for assisting with the advisory committee members.

Special thanks are owed to the faculty and staff in Education Foundations and Research, and faculty members in Adult and Higher Education at the University of North Dakota. Their willingness to share their knowledge and time has made my time at the University very special.

I also want to thank my husband, Joe. Without his support and understanding I would not have been able to complete this program. Melissa and Iain, Julie, and Farin and my extended family also provided encouragement.

A very special thanks to some very brave people who were willing to talk discuss very traumatic times in their lives. Their willingness to share their experiences hopefully will bring insight into how we can prevent other students from becoming victims of sexual abuse in our school systems.

Finally, I want to thank my driving partner, Janet Auer. Without her gentle encouragement, I would not have had the courage to write this dissertation. Rest in peace, Janet.

## ABSTRACT

This study examined the responses of various school systems to learning of the sexual abuse of students by adult members of the school communities. The focus was on the reasons for the school systems decisions to accept or reject a report of sexual victimization of students, the levels of acceptance or rejection indicated by their reactions to the reports, and the aftermaths of the choices.

Data were gathered primarily through in-depth interviews with victims and their family members and friends, perpetrators, and school administrators, board members, and counselors. Document analysis supplemented the interviews. Themes in the data were elicited by a process of coding and reducing data until the major patterns emerged. Multiple interviews with people as diverse as victims and perpetrators allowed cross-checking for credibility.

Findings described and supported by the data were grouped into four stages of decision-making as the reports of victimization moved into the school systems: the initial reporting, the determination to accept or reject the reports, the type of actions to take, and the impact of the choice to accept or reject the reports. These stages reflect the decisions school systems have to make as they contemplate a reporting of sexual abuse by members of their adult population and the factors that may affect the reasons for their decisions made at each stage.

The decision-making process is followed through five case studies of known victimization in five school systems in North Dakota. In three of the five cases, no action was taken by the school systems. This study addresses the stages of decision-making pieced together through interviews and documents with victims, perpetrators, school officials and others.

The first stage addresses the notification of victimization and discussion about when and how school systems may know of the victimization prior to official recognition. The second stage begins as the school systems decide to accept or reject the reports of victimization based on considerations of the credibility of the victims and perpetrators and the characteristics of the local communities. Stage three discusses the influences that can be brought by community attitudes and the types of actions school systems may take. Stage four contains the potential ramifications of the school systems decisions. Within each stage, the major factors that might influence the decision-making process are discussed.



## CHAPTER I

### INTRODUCTION

Each school day our children, some as young as four, get in cars, mini-vans, and yellow school buses, and are dropped off at the doors of our preK-12 schools. Some are happy to be there; others would rather be elsewhere. Some come from affluent homes; others come from homes with few resources. Some are intellectually gifted; others are athletically gifted. There is a wonderful diversity of personalities, likes and dislikes and hopes and dreams. As they enter their classrooms they are greeted by a diversity of teachers and support personnel. Hopefully, the adults they encounter during their school day and school years will offer a nurturing, positive learning environment for them. Unfortunately, although most adults in these environs live up to these expectations, there are others in our school systems that take advantage of those bright, shining expectations and use some students for their own sexual gratification. These are the perpetrators that are in our schools.

There are no national statistics that can be cited to state exactly how many school personnel are perpetrators or how many students are victims. However, each year there are hundreds of cases of reported victimization in the United States. The studies that have been completed estimate the numbers of actual cases of sexual victimization of students by school personnel between 642,100 (1 percent of all elementary students and 3 percent of

all secondary students) identified as victims (Bithell, 1991) and 1,702,214 (14.5% of males and females in grades eight through eleven) identified as victims (AAUW, Stein, 1993a) when their studies are generalized to the United States school population. However, for numerous reasons that will be discussed throughout this study, actual reporting of sexual victimization is placed somewhere between 0.4 percent and 7 percent based on quantitative studies (Wishnietsky, 1991; Biddle, 1991; Shakeshaft and Cohan, 1993). Furthermore, Stein (1993b) determined from the data obtained during the American Association of University Women's study that victims reported abuse in less than 7 percent of the actual cases. Even more disconcerting, she found that no punitive steps were taken toward the adult perpetrator of student victimization 77 percent of the time in the reported cases. This concurs with Shakeshaft and Cohan's findings, using information from reported cases in their study, when they estimated less than 2 percent of all perpetrators received some form of punishment.

Shoop (1999) summed up the attitude of many school systems and individuals in those systems when he has gone into many schools to make them aware of this abuse. Although the level of hostility is highest in secondary schools, elementary personnel often do not believe their fellow staff members capable of sexual abuse of students:

When I speak with educators about the problem of teacher-to-student sexual abuse, I am often met with hostility and defensiveness. Many just do not believe that any teacher in their school could sexually abuse students. They believe that if such abuse happens, it happens elsewhere and it is so rare and idiosyncratic that it does not warrant attention. Additionally many have expressed that since every teacher knows that teachers should not be having sexual relationships with students, it is insulting even to talk about the issue. Unfortunately, it is just such attitudes that have created the climate that allows sexual abuse to continue. I have not experienced anything in my professional career that has been more



heartrending than seeing the impact teacher sexual abuse has on the victim, his or her family and friends. Victims have dropped out of school, developed serious medical and psychological conditions, developed dysfunctional sexual behaviors, and have attempted to commit suicide (p. 10)

The issue of sexual abuse of students by school personnel was not even considered a worthwhile topic for discussion until the latter part of the twentieth century even though laws requiring the reporting of any suspected sexual abuse of students has been on the books in all 50 states for over 30 years. Few people within or without of the systems were willing to talk about what was often kept a secret or only whispered or gossiped about. Unless the victimization was extensive, such as in the case of multiple victims coming forward, or males were found to be the target of the victimization, the school systems' response probably was to allow the perpetrator to quietly leave the school and move on to another school system (Berson et al., 1999; Zakariya, 1988; Leddy and Cox, 1985; Stein, 1993; Welch, 1987; Fossey, 1991; Shoop and Firestone, 1988; James and DeVaney, 1994). The research done to date on this topic is limited and those who have opened the dialogue have sometimes been shunned by their peers. Regardless, the research must continue in the hopes that further victimization may be prevented.

However, as more and more cases of victimization were reported in school systems, many states began checking into the criminal records and backgrounds of their personnel. What the states found was troubling. For example, in the early 1990's when four states began mandated fingerprint and background checks for school employees, over 60,000 applicants for licensure in their states were identified as having criminal histories of child sexual abuse (Murphy, 1992). This number was staggering as many of the applicants

were moving from one state to another. In spite of all states having laws requiring school personnel to report any suspicion of abuse of children in their care, there was a very likely possibility that the teachers and administrators had been permitted to leave their previous places of employment without any attempts at reporting cases of abuse to the appropriate authorities at the local or state level.

If the school systems had decided to allow perpetrators to move across districts and state lines in spite of the potential legal ramifications, the decision of the court in the landmark case, *Stoneking v. Bradford Area School District*, should have provided an impetus for the school systems to exercise care in the hiring and supervision of personnel. In that case in 1989, a United States appellate court ruled that individuals within schools could be sued for violating the civil rights of students in their charge if they did not respond appropriately to reports of probable victimization. The case also provided impetus for renewed efforts to find out how prevalent victimization was and what school systems needed to do to prevent further incidents. Then, in addition to this recognition of the right of students to sue individuals, the United States Supreme Court upheld the decision in the 1992 court case, *Franklin v. Gwinnett County Public Schools*, which laid the groundwork for the right of students to receive financial compensation from school systems in cases where schools ignored the reporting of abuse of students by school personnel. "The Court has clearly determined not only that the term *sex* in Title IX refers to sexual harassment, but, by granting the student damages, it has also imposed on the school district a significant financial incentive for addressing the offense whenever it occurs in schools" (Fossey, 1991, p. 41).



The issue of reporting student sexual abuse by school personnel is a major problem as the extent of the problem within school systems can only be known if the systems will report all abuse to the appropriate authorities for investigation and civil or criminal action, if necessary. However, recent studies have shown only a portion of the cases reported to school systems are passed on to the appropriate officials. Furthermore, not even the school systems are aware of the actual number of cases occurring within their walls as the victimizations are not reported to anyone in authority in the school systems (Stein, 1993a; Wishnietsky, 1991; Shakeshaft and Cohari, 1993; Henlie, 1996). During the American Association of University Women study research, students gave the main reason for not reporting victimization as the belief that no one in the systems in positions of authority would believe they had been victims of adults in the school system. Thus "fewer than 1 in 10 students who have been harassed (7%) say they have told a teacher although girls are twice as likely to have done so as boys" (p. 24). Fear of retaliation by the perpetrator, other adults in the school system and peers, guilt and shame, and sometimes lack of knowledge on the part of the victim that the behavior is inappropriate are other commonly given reasons for not reporting the victimization (Kleemier, 1988; Cooper, 1998).

#### Problem Statement

At this time, 2001, the number of cases of sexual abuse of students by adults within the school systems in the state of North Dakota is not known. However, through newspaper articles documenting the arrests and sometimes the convictions of school personnel, actions taken by the North Dakota Education Standards and Practices Board and the North Dakota Administrative Standards and Practices Board to remove licensure

from teachers and administrators, and through the rumor and gossip mills, the fact that students are being victimized in our schools is known. However, there is little information available on how school systems decide to react to an allegation of victimization within our systems. We do not know what percentage of actual cases are reported by school personnel to the state officials as required by state law. We have not had the opportunity to follow up on how their decisions have ultimately effected the lives of students or to see if a difference could be made in their adult lives through state and local intervention efforts. Equally disturbing is our lack of knowledge about how many more students are victimized by each perpetrator who continues to serve in our school systems.

For the most part the cases of victimization of students by school personnel have come to light when parents, friends, or the victims have gone to child protection agencies or law enforcement or individuals outside of the school system. In some instances they have attempted to report the victimization to school authorities, but their attempts to gain cooperation have been dismissed or down-played. Others have not contacted school officials because they do not believe the school officials will do anything about the situation. Sometimes the agencies to whom the victimization should have legally been reported first learn of the problem through a newspaper article or a television news story. Overall, even more cases, if the research done to date is even somewhat accurate, are never reported (Wishnietsky, 1991; Biddle, 1991, Shakeshaft and Cohan, 1993; Stein, 1993c)

This study was done to determine, if possible, why the reporting of their victimizations by students to authorities in school systems was believed or ignored. Then



in cases where the schools believed the report, the type of action they took against the perpetrators was also included in the study. In response to Shakeshaft and Cohan's 1993 survey, New York State administrators reported that in 53.7 percent of the cases where the teachers were accused of sexual abuse, the teachers were allowed to resign (avoiding criminal prosecution) and were free to move to another district without recrimination, retired, or were not rehired (again free to move to another district without recrimination). Shakeshaft, in a 1994 article, reported that the administrators knew that 16 percent of those teachers were now teaching in another school but they had no any idea where the other 84 percent were or what they were doing.

Continuing with Shakeshaft's findings, in the same article she reported that for the most part, "We found cases of students who lacked adequate counseling and support during and after the allegation process. In other words, we found misinformation, abuse, and confusion - all of which hurt children" (p. 27). As no information is available on the number of cases in North Dakota nor the outcome of students reporting victimization, the outcomes of the five cases researched for this study will be a beginning to show how perpetrators in a few cases fared. In four of the five cases in this study, I document for the first time that an actual victimization had occurred as the school systems had denied the allegations of the victims and supported the perpetrators. Although the whereabouts of two of the perpetrators remain unknown, the path of the other three is now known, with bleak results. The lives of all five of the victims were followed up, and since the cases spanned approximately thirty-five years, the effects of the decisions of school systems to not believe or to accept the report of the victimization of their students when they were

notified of perpetrators in their schools are known. None of the students received counseling immediately after the victimization.

In a telephone conversation with Shakeshaft (Personal communication, April 2000), she indicated that she knew of no qualitative research study that had been done on the issues of why school systems are reluctant to believe the claims of students of sexual victimization by school personnel or why school systems do not respond immediately to allegations of that abuse. In examining the existing literature, I found that her recollections were confirmed. Although some of the quantitative studies had followed up with interviews with administrators or included self-reported accounts of victimization by students, the research had focused on determining the numbers of cases of abuse (Wishnietsky, 1991; Bitheil, 1991; Stein, 1993; Shakeshaft and Cohan, 1993).

This study focuses on the victims, perpetrators, school personnel, family and friends, community members and law enforcement officials who have been involved in victimization cases in North Dakota and concentrates on finding out from those who have been integrally involved in these situations, the actions and possible intents exhibited throughout the stages of reporting and the aftermath. The qualitative interview process was used to learn from these people who had been caught up in cases of victimization what motivations prompted school systems' decisions, how students had become victims, how perpetrators had come to cross the line, and how had those decisions influenced and changed the lives of the victims, their families and the communities.

#### The Professional Significance of the Study

If, in fact, through reading the results of this study, one person in one school



system somewhere in North Dakota refuses to allow a known perpetrator to either remain in the school system or move on to another school where he or she can begin the cycle of victimization again, I will consider the last two and one-half years of intensive, draining interviewing a success. This study entered new territory when victims and perpetrators were chosen to be among the interviewees. Previously, some school administrators and community members had been included in a few studies, but no one had yet asked the victims how they had become victims nor asked the perpetrators why they had become predators (Wishnietsky, 1991; Shakeshaft and Cohan, 1993). Although the interviews were difficult for both the interviewees and the interviewer, perhaps the insights into the motivations and methods perpetrators use for seeking out students for sexual attention and how innocent, young students become victims may lead to future reported cases being treated more seriously and appropriately. Most importantly, if the perception of female students as predators rather than victims while adult school personnel are viewed as innocents or victims of female student predators is changed in the slightest, the efforts of all those involved in this study will be validated. If, when interviewing people involved in future cases, the interviewer hears the words, "It wasn't her fault," or "We accepted immediately he or she had victimized that student," this undertaking will be worthwhile.

For the most part, school systems view the report of a victimization as a signal to begin to deny or cover-up what has occurred. The school personnel worry about what the community is going to say or do when its members find out that the school has hired an adult who has sexually abused a student, or students. The perpetrator is also a trusted member of the school system and community; how can they believe that an excellent

teacher and volunteer would abuse one of their children? Hopefully, this study will begin to change the attitudes of cover-up to cooperation as the school systems support their students and pursue punishment for the perpetrator.

The use of the qualitative method of in-depth interviewing of the people who had been involved in situations of victimization along with written documentation turned the focus from quantifying the numbers of cases of victimization to the perceptions of those involved in the cases. Both issues are very important to pursue. While further quantitative studies are needed to determine the extent of the problem, qualitative studies are needed to aid in finding means to prevent the practice from continuing. This might be through finding appropriate screening methods for preservice students or educators as they enter the state system or move from one school system to another crafted from insight offered by perpetrators and victims. Maybe we can share additional information on signs of victimization with school personnel through inservices. Perhaps the recognition that the perpetrator is not a stranger lurking in the shadows or that all students do not lie about their teachers in an attempt to punish them may become an accepted part of our school systems' culture.

Mind sets will have to change and long-held positions of secrecy and cover-up will have to be discarded for inroads to be made as we attempt to protect our students from the comparatively small number of school personnel who have used positions of power in our school systems to prey upon our students. Until all of the students and all of the school personnel are satisfied that their attempts to report victimizations are heeded and acted upon appropriately by those in positions of authority, this will not happen. With less



than 10 percent of victimized students and less than 50 percent of school personnel believing that persons in positions of authority in school systems will report possible cases of victimization to the appropriate authorities, we have a long way to go (Stein, 1993; McIntyre, 1986).

### Limitations of the Study

For this study, the cases were confined to the state of North Dakota. The earliest study included here is from a case that was reported almost thirty-five years ago while the most recent case was reported five years ago. As the predominance of reported victims are female (75 percent), four of the five cases involved female victims and, also, because most of the perpetrators are male, (95 to 98 percent) four of the five cases involved male perpetrators (Stein, 1993a; Bithell, 1991; Shoop, 1999; Shakeshaft and Cohan, 1993). However, because of the silence of male students on the issue of sexual abuse by male school personnel and the propensity, particularly of the adult male population, for often not recognizing a sexual relationship with an adult female as victimization, there could be many more cases of male victimization, either by male or female predators, than are proportionately represented (Finkelhor, 1984; Redfield, 1995). Moreover, until further research uncovers a more accurate picture of the extent of all victimization, accurate percentages will not be known.

The cases in the study represent a cross-section of populations of this state's school system, with the interviewees participating in the study coming from extremely small towns and schools and the largest cities and school systems in the state. However, because of the small populations in our state, even our largest systems could be considered

small systems in other areas of the United States. Because of the small populations in most of our schools, very few of our schools tend to benefit from urban surroundings where fewer incidents of abuse go unreported, while more rural, more conservative school systems tend to conceal more cases. Urey and Henggeler (1983) discussed the phenomenon of secrecy on the part of youngsters in rural communities where "rural children might be less concerned with actually being caught in a transgression than the internal reactions associated with parental disappointment." This need for their parents to not be disappointed in them as "rural parents tend toward the restrictive end of the restrictive-permissive continuum," could lead the children in more rural areas to conceal any adult behavior that the children might construe as questionable to not be a topic for discussion either with their parents their peers, and most certainly not school authority figures (p. 41). Peshkin (1978) coupled that potential reaction with "a robust, religious life" that continues to prevail in smaller communities and which :

unites clusters of people who by virtue of their church's location identify with that location. Rural areas are considered outposts of traditional American values, places that hold fast to the old virtues of God, country, and self-reliance. I assume that the foregoing views are part of a conservative syndrome, with conservative defined as 'one who adheres to traditional, time-tested, long-standing methods, procedures or views' (Webster).

The 1994 report of the United States Department of Education's Office of Educational Research and Improvement on The Condition of Education in Rural Schools maintained that the conservative, religious profile remained accurate in the more rural areas in the country and asserted that "family, the church, and the school" continued as "the heart of the rural communities" (p. 21). While these sources agreed that the closeness



of the rural communities helped the individuals, for the most part, Urey and Henggeler in particular pointed out that these very positive characteristics could become detrimental in a situation such as the abuse of the children by adults within the community, because the children are "more dependent upon adults and authority figures in general" and might enter unquestioningly into an inappropriate relationship with an unscrupulous adult (p. 41).

There is no reason to believe that the small number of cases studied could be generalized to the entire school populations of the entire country. However, hopefully, additional studies in various parts of the country will ensue and those findings compared to this research.

### Summary

Even though the sum of the cases of sexual abuse of students by school personnel is not known, the fact that abuse occurs cannot be ignored. This qualitative study addresses the issue of how school systems who have been confronted with reported cases of victimization have reacted to that reporting. The acceptance or rejection of a report of an alleged victimization can be an extended process with many issues, both intentionally and unintentionally, entering into the decision on whether to believe the student, parents, or peers that bring the report to the attention of school officials. This study addresses the issues that confront school personnel as they deliberate. Such issues may include the overt or covert influences of the school and community, the adult versus child dilemmas, the credibility issues that can be brought forward by the status of selected victims versus the status of the perpetrators, and finally, the possible long-lasting consequences to those

involved in the situation. The particular results of the study are not generalizable, but the deliberations and potential for consequences are.

This document is organized into five basic parts. The first chapter is an introduction to and overview of the research project. Chapter two is a review of the literature that most directly relates to the findings and conclusions presented here. The literature review is intended to provide a context and rationale for the study and its interpretations. Chapter three outlines the research methods used and includes a report on the pilot study and a description of the research plan, data gathering procedures, and methods of analysis. Chapter four presents the findings, and Chapter five presents the conclusions, implications and recommendations gleaned from the study.

## CHAPTER II

### REVIEW OF RELATED LITERATURE

This chapter provides a review of literature related to the proposed project. The review highlights six studies done on the issue of school personnel as sexual offenders against students. These six studies are the main body of information to date on this topic. These studies address the definitions of sexual harassment and sexual abuse, the extent of the problem, the likely offenders and victims, the consequences to students from the abuse, reactions of school systems to reporting of the abuse, and the legal responsibilities of school systems in possible cases of abuse. These six topics will serve as the major divisions for this chapter. Other studies will be included in the discussion as appropriate.

#### The Problem of Sexual Abuse of Students

Although there is a question on the number of students sexually abused by school personnel, the fact that students are abused has begun to be recognized as a very real problem. The number one reason for teachers in the United States to lose their teaching license is sexual abuse of children (Berson, Berson, Karges-Bone, and Jonathon, 1999). However, because of school systems' reluctance to report abuse to the appropriate authorities or even reveal information on cases in their systems (Berson et al, 1999; Shoop, 1999; Zakarikya, 1988; Minard, 1993; Stein, 1993b; Welch, 1987; Fossey, 1990; Regotti, 1992; Hendrie, 1998; Wishnietsky, 1991; Shakeshaft & Cohan, 1995; Bithell,



1991), and, frequently, student reluctance to report the abuse either because of the fear of not being believed or fear of the perpetrator (AAUW, 1993; Stein, 1993; Hendrie, 1998; Kleemer, 1988; Welch, 1987; Mawdsley, 1994; Cooper, 1998; Regotti, 1992), the number of actual cases each year remain estimates. Little attention was given to the problem until the latter part of the 1980's and early 1990's when several studies, based on survey information obtained from students and school personnel, began to explore the extent of the prevalence of the abuse. Conservative estimates (Bithell, 1991) placed the abuse at one percent of elementary students and three percent of secondary students by approximately 128,000 teachers, while Shakeshaft & Cohan (1995) cited a variance in percentages from various statistical studies ranging from .04% to 5% of the teaching population. Meanwhile, the American Association of University Women study found that only 7% of students reported their sexual abuse by school personnel to school authorities. Perhaps the only clear evidence gleaned from the differences among the studies was that there is a problem with student sexual abuse by school personnel and no one has done enough to prevent the molestation or adequately punish the perpetrators.

#### Definitions of Sexual Harassment and Sexual Abuse

In 1989, Dan Wishnietsky, a mathematics professor at Winston-Salem State University, designed two surveys intended to "discover the extent of improper relationships between high school students and teachers and to suggest procedures for recognizing and ending those relationships" (p. 164). One of the surveys was designed for superintendents of all K-12 schools in North Carolina. The other survey was designed for recent graduates of those same North Carolina schools. The results of those surveys

pointed out major differences in the number of sexual harassment or abuse cases acknowledged by the school superintendents and the number of cases recognized by the students. To frame the survey, Wishnietsky used the definition of "sexual harassment" as:

included unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (a) submission to such conduct is made either explicitly or implicitly as a term or condition for academic advisement, (b) submission to or rejection of such conduct by an individual is used as a basis for academic decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, or offensive academic environment (p. 164).

This definition defined the balance of power as decidedly on the side of the adult, and in this context, Wishnietsky asked the receivers of the surveys to record data on how many sexual relationships between teachers and students were known by the recipients, how long did the relationships last, how long did other school personnel know about the relationships and what kind of, if any, disciplinary action was taken.

During the same time period, a high school business teacher, Sherry Bithell, was working on her doctoral study in Idaho. In her book, Educator Sexual Abuse: A Guide For Prevention in the Schools, (1991) she defined sexual abuse as:

Sexual contact of any type, nontouching or touching, between a child and an adult. This includes things such as exposure to genitals, obscene phone calls, fondling, attempted intercourse, rape, and other forms of penetration. Legally, a person is a child until the age of eighteen. Other terms commonly associated with sexual abuse are molestation and sexual exploitation (p. 4).

Bithell also spoke in terms of sexual abuse as "subtle power and control over the child" and of the sexual exploitation of the child because "the victim relies emotionally on the offender and does not want to displease" (p. 6). Bithell continued this discussion of power



and control as she described offenders, victims, and the need for schools to deal with the victimization of students by school personnel.

Nan Stein, Director of the Wellesley College Center for Research on Women's Sexual Harassment in Schools Project, spoke of sexual harassment as "gendered violence that is often performed in public, sometimes in front of adults whose legal responsibility is to provide equal protection and equal educational opportunities" (1993b, p. 159).

In another article published that same year, Stein framed sexual harassment in terms of "child abuse, sexual assault, rape, pornography, criminal or civil libel, slander, or defamation of character." She expressed her conviction that in these instances of sexual harassment, "Victims, as well as educators or community members acting on the victim's behalf, may file sexual harassment complaints (1993a, p. 15).

In their report on findings from a four year study on sexual abuse of students by school personnel in New York State and selectively chosen other school systems outside of New York, Shakeshaft and Cohan (1994a) defined sexual abuse, and therefore sexual harassment, as:

Generally speaking, sexual abuse is unwelcome conduct directed at a person because of the person's gender. Although most sexual abuse is sexual in nature, as long as it is gender-based it may be classified as sexual harassment, even if it is not sexual. Sexual harassment is usually not about sex, even though sex is the vehicle used. It is about power. Abusers are expressing hostility or using power over someone, because of a person's sex (p. 8).

They also used the United States Equal Employment Opportunity Commission's definition for identification of specific characteristics that could assist in recognizing sexual harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment (EEOC Policy Guidelines on Sexual Harassment, Section 1604.11.29 CFR Chapter XIV, Part 1604).

In a 1995 article about their findings, Shakeshaft and Cohan arrived at a definition of sexual abuse based on descriptions of abuse offered by superintendents in their study and categorized sexual abuse as "either noncontact or contact." They divided the two categories into levels:

Level I noncontact sexual abuse is visual and includes such actions as exhibitionism, showing sexually explicit pictures, or making gestures. Level II noncontact sexual abuse is verbal and includes making sexual comments, jeering or taunting, and asking questions about sexual activity. Level I contact sexual abuse involves fondling, touching, stroking, and kissing and includes touching students on the outside of their clothes, touching them on the breasts or buttocks, and sexual hugging and kissing. Level II contact sexual abuse involves genital touching, vaginal or anal insertion, and oral/genital contact (p. 514).

In the discussion of the levels, Shakeshaft and Cohan recognized that only Level II sexual abuse has been readily recognized by school systems while many still question if Level I is indeed sexual abuse.

From their 1993 study, the American Association of University Women survey as reported they defined sexual harassment as "unwanted and unwelcome sexual behavior which interferes with your life. Sexual behavior is not behaviors you like or want (for example, wanted kissing, touching, or flirting)" (p. 6). Based on this definition, students were asked to respond to a list of 14 examples of sexual harassment and asked to answer



how frequently they had been subjected to sexual harassing statements, written materials or actions during school or extracurricular activities

Title IX of the Education Amendment (1972) said, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance." The law was primarily used for barring discrimination on the basis of sex in areas of academics, extracurricular activities, research, occupational training, and any other educational programs operated by an organization or agency that received or benefitted from federal aid. However, in 1981, the Office of Civil Rights issued notice that sexual harassment was no longer going to be tolerated. Regulations then issued considered sexual harassment prohibited under Title IX. That notice defined sexual harassment as: "consists of verbal or physical contact of a sexual nature, imposed on the basis of sex, by an employee or agent of a recipient that denies, limits, provides different, or conditions the provision of aid, benefits, services or treatment protected under Title IX."

All affected institutions were to immediately set up a grievance procedure that would provide immediate and equitable relief from sexual harassment. The notice also included the information that sexual harassment among students would be covered by Title IX as well as school personnel-to-student sexual harassment. Title IX, often partnered with Title VII of the Civil Rights Act (1964), has been, and continues to be, the basis for law suits against school systems for sexual harassment stemming from actions of school personnel or from students.



### The Extent of Sexual Abuse of Students by School Personnel

For a number of reasons previously cited and others, the actual extent of the problem of abuse of students by school personnel has not been finitely documented. However, since the 1980's research indicates a not only continuing, but an increasing problem of molestation in schools (Berson et al, 1999). Through their studies Shakeshaft and Cohan now believe that we have experienced only "the tip of the iceberg" because of the low rate of reporting to date by students (1995, p. 514).

In the Wishnietsky study (1991), the two surveys sent out to administrators and students pointed out the difference in the belief of administrators in the number of students molested and the number of molestations reported by students. While only 18 out of a total of 65 superintendents (27 %) responding to the survey reported that a total of 26 members of their staff had been disciplined for some form of sexual abuse within the last 3 years, 90 out of 148 students (60%) who had been in those schools during the same time reported incidents of sexual harassment and abuse from school personnel ranging from noncontact sexual abuse to 20 reporting sexual intercourse. In the reported incidents, administrators indicated that the victimization was known by staff and faculty for less than a month, but in three cases, they reported that school personnel had known about the abuse for at least six months before any action was taken. Out of the 90 students reporting abuse, only 7 of those students had reported the abuse and only 1 reported that anything was done about the abuse. Of the students responding to the survey, 58.8% stated they felt a conspiracy of silence about the abuse was present in their school systems and 2% of the administrators did as well (p. 167-168). Wishnietsky also called attention to the fact

that only 46.4% of administrators had responded to his survey on sexual abuse while in five previous surveys on academic issues he had received responses from 72% of those same administrators. "When asked why the reluctance, the administrators said that they were apprehensive about what facts would be discovered" (p. 167).

Bithell (1991), using statistics on the number of teachers in classrooms in the United States in 1987 — 2,558,462 — and the number of elementary and secondary students — 39,353,000 — in those classrooms, determined by using a ratio of 20 students to 1 teacher and using the information from a 40 year study that 1 percent of elementary students "have sexual advances made toward them by their teachers, and sexual contact occurs in approximately one-third of those cases," and 3 percent of secondary students "have advances made toward them by a secondary teacher which results in physical sexual contact about one-third of the time," that "it may be conservatively estimated that nationally in 1987, there were 127,923 educator sexual abuse offenders teaching in our schools" (p. 1-2). Bithell also stressed the fact that most perpetrators offend multiple times, over a period of years, as she stated, "Individuals who offend girls will, on the average, abuse 62 girls" (Sanford, 1980), while "men who molest boys will have an average of 282 victims" (Abei & Harlow, 1987) (p. 17). To support the large number of possible abusers in school systems, Berson et al, in the 1999 article, "Screening Teacher Education Candidates for Sexual Predators," noted that within the first five months after four states began background checking of school personnel, "more than 60,000 job applicants with criminal histories of child sexual abuse" were found (p. 151). The Florida Professional Practices Services Offices also reported that they had "weeded out"



approximately 30,000 people a year by requiring fingerprinting, but that they had an additional 200 to 300 applicants out of over 3,000 applicants for licensure each year unable to obtain licenses because of criminal records (Zakariya, 1988).

In the national study results of eighth to eleventh grade males and females done by the American Association of University Women, of the 81% of the participants who reported sexual harassment, "18% say they have been harassed by a school employee (such as a teacher, coach, bus driver, teachers' aide, security guard, principal, or counselor" (p. 10). Of those reporting, only 7% had told an adult in the school system about the harassment and less than 25% had told either their parents or another family member about the abuse (p. 24). "The findings are projectable to all public school students in the 8<sup>th</sup> through 11 grades in the United States. At a 95% confidence level, the margin of error is plus or minus 4 percentage points" (p. 5).

Although Stein, Marshall and Tropp's work concentrated on student-to-student sexual harassment, "there were several reports of sexual harassment by teachers or school counselors, and a few reports by school administrators and other school staff" (1993, p. 6). The students reported that the abusers were: administrators — 0.4% of the harassment and 100% were male; teachers and counselors — 3% of harassment and 98% were male; and other school personnel accounted for 0.3% of the harassment with 100% being male (p. 6). The reaction of most of the girls who were sexually harassed by school personnel was to do nothing to resist the harassment (p. 8) and less than 20% of the girls told a parent or any adult at school about the harassment (p. 10). In reporting her findings on the response of schools to those students that did tell someone in authority, Stein, in her 1993



article, "Sexual Harassment in Schools: the Public Performance of Gendered Violence," wrote, "When the specter or hint of a sexually tinged relationship between a minor and an adult in a school setting emerges, confusion or cover-up is the typical response" (p. 15).

She elaborated further:

In cases of alleged child abuse of a minor by a school employee, school officials often bypass the legal requirement to report these allegations to the state agency charged with investigating such allegations. School officials sometimes decide they will conduct the first round of investigation for reasons of expediency and proximity. More likely, their failure or delay to report the allegations may be driven by their desire not to hang their dirty laundry in public or to protect the accused, one of their own.

Agencies responsible for child welfare and protection, saddled with constant staff shortages and high case loads, are limited in their authority to remove children from abusive and neglectful homes. Thus, insult is added to injury when there is an attempt to report the alleged occurrence of child sexual abuse in a school setting. Jurisdictional confusion, gaps in policy, and a virtual 'no man's land' exist, thus vitiating many allegations of child sexual abuse in school (p. 16).

Shakeshaft and Cohan (1995) gave three reasons for incomplete knowledge of the extent of the abuse problem: "First, very few studies have sought to document the problem. Second, when studies have been conducted, they have not used comparable methodologies and samples. And third, the majority of students don't file formal complaints" (p. 514). Their study of cases of sexual harassment and abuse that was based on interviews with 184 (out of a total of 764 possible respondents) superintendents of New York schools and an additional 41 superintendents from other states who responded to their letter of inquiry about incidents of sexual abuse of a student by a school employee in their school systems. During the study they found there was:

both contact and noncontact sexual abuse of students at all grade levels. However, superintendents were more likely to report allegations of contact sexual abuse than of noncontact sexual abuse, thus confirming our suspicion that reported cases are

more likely to be cases of physical abuse than cases of nonphysical abuse. We found that 89% of all cases in our study (92) of the cases reported by males and 88% of the cases reported by females) involved allegations of contact abuse. Thirty-eight percent of all cases were at the elementary level, 20% were at the middle school level, 36% were at the high school level, and 6% fell into other categories (1995, p. 514 - 515).

Most of the reporting was based on physical sexual abuse because, "superintendents typically viewed verbal abuse as not very serious," and "would not have included verbal abuse as a form of sexual harassment" (p. 515). Consequently, Shakeshaft and Cohan agreed with other researchers that the extent of the abuse of students was definitely under reported and further study needed to be done to determine the extent of the problem. They agreed with other researchers that "it is more likely that students will *fail* to report actual incidents than that they will fabricate incidents" (p. 514).

Hendrie (1998) focused on the issue of school systems not responding to sexual abuse of students by school personnel in their systems. She reported, after a six-month study of 244 abuse cases covering a six-month period from March to August of 1998 done for Education Week, that "time after time, victims and their families presented disturbing evidence that school officials have fallen short in their duty to keep students safe" (p. 2). The claim came from the research centered around law suits filed throughout the United States during the six-month study with the reasons for the law suits given as "administrators refuse to believe students who allege wrongdoing;" "officials may use students' denials or recantations as an excuse for inaction — ignoring the fact that many victims are manipulated, threatened, or coerced into protecting their abusers"; "neglecting to report suspected abuse to outside authorities"; "bungling internal investigations or



conducting none at all"; "keeping no records of incidents of suspected misconduct"; "allowing wrongdoers to remain in the system despite numerous complaints"; and "the most serious accusations are generally reserved for officials who allegedly receive evidence of sexual contact, but effectively cover their eyes" (p. 5). Nevertheless, despite the fact that court cases against school systems are increasing, Hendrie reported that "the top lawyer for the National School Boards Association, for one, says officials remain more wary of lawsuits by accused school employees than by victimized students" (p. 7).

Although all of the studies agreed that the full extent of the sexual abuse was not known, consensus was that probably between 2% and 6% of the actual number of cases were being reported (Shakeshaft and Cohan, 1995; Wishnietsky, 1991; Bithell, 1991; AAUW, 1993). These percentages were also consistent with the estimated percentages of abuse arrived at by social workers and other state authorities as they estimated only 2% to 6% of overall child sexual abuse is reported to authorities (Shakeshaft & Cohan, 1995). Kleemer (1988) stated, "Most professionals believe that the majority of child sexual abuse cases are still not reported to anyone. Many children are reluctant to report sexual abuse because of feelings of guilt and responsibility, fear that they will not be believed, subtle and overt threats from the abuser, and uncertainty about whether the abusive activity is inappropriate" (p. 555). As the reported statistics from the various studies were fairly standard, Shakeshaft and Cohan inferred: "If these projections are even close to accurate, then the incidents in our study represent only the tip of the iceberg with regard to the actual sexual abuse of students by school staff members" (p. 514).

Those percentages did not include all suspected abuse cases because of educators



reporting only to principals or superintendents rather than to the designated authorities in their states. Graves (1994) reported that a study done in 1986 "revealed that nearly 60 percent of teachers reported suspected abuse only to the principal or assistant principal of their school" and, in turn, "Many times superintendents and principals investigate reports themselves with the primary aim of keeping a lid on scandal" (p. 26). Thus, many of the suspected cases were kept secret from the community and little or nothing was done to stop the abuse from occurring or measures taken to punish the perpetrator. In fact, Levin (1983) found in surveying teachers that about 50% of teachers found the administrative response and procedures in cases where they had reported suspected abuse to be inadequate and most of those stated they would make no further attempts to report abuse because of this situation (p. 16). Leddy and Cox reported similar findings in their experiences with teachers in rural Alaska and those teachers also expressed disappointment in social services responses to their reports. "As a result, individuals may become reluctant to step forward since 'nothing will happen anyway.' The failure to respond on the part of the authorities may cause apathy and reports of suspected child sexual assault may cease" (p. 3).

As for the concern of false claims of sexual abuse being made by students, again there was agreement on the fact that few students made false claims and consensus that even more of the claims identified as false could have been proven as true with a wider definition of sexual abuse. Out of the 244 cases examined by Hendrie and her researchers, only 2 were found to have been falsified. Shakeshaft and Cohan also found few cases of false reporting when they applied a broader definition to the abuse than physical contact.

"This is not to say that charges are never fabricated. They are. But the broader definition of sexual abuse does lend support to the data suggesting that false allegations constitute only a small percentage of all allegations" (1995, p. 514).

### The Characteristics of the Abuser and the Abused

#### The Abuser

In 1984 David Finkelhor released his model identifying four factors that needed to exist for a male or female to sexually abuse a child. Those four factors were:

Initially, the potential offender must develop a desire or motivation to abuse a child. A variety of factors may contribute to an offender's misguided interest in children as sexual objects, including patterns of sexual deviance, psychopathology, and emotional need fulfillment. Second, a potential offender must overcome the internal inhibitions that ordinarily prevent them from acting on desires defined as wrong, such as sexual activity with children. The use of drugs or alcohol, response to a crisis situation, mental illness, and the absence of strong criminal sanctions may also play roles in offenders' failures to control their impulses. Third, a potential offender must have the opportunity to be alone with the child. The fourth precondition is the ability to overcome the child's resistance through coercion, force, threats, or positive rewards (p. 116).

The validity of this model was recognized in many of the studies that have been done of school personnel as sexual perpetrators (Bithell, 1991; Shakeshaft & Cohan, 1994; Stein, 1993a) and the characteristics of perpetrators found by Hendrie also meshed very well with Finkelhor. Bithell and Shakeshaft and Cohan, along with several other minor studies that have been done, further refined the traits of offenders and found that there were differences in characteristics of abusers of younger children when compared to abusers of older children.

All of the studies agreed that males were the most prevalent offenders with most agreeing that 95 to 99 percent of the abusers were males. Bithell reported that most of the



offenders came from broken homes and had poor relationships with their parents; pedophiles who favored students under the age of 14 were found to have particularly poor relationships with their fathers. They had formed very few bonds with their parents or other relatives and had few or no emotional ties to anyone. By examining the childhoods of these abusers, researchers found that 70 to 75 percent probably were sexually traumatized in their youth. For the pedophiles, children became their target because they found children were willing to give "unconditional love," which satisfied the pedophiles need for someone to love.

For the offenders who abuse students over the age of 14, the males were usually Caucasian, between 20 and 40 years of age, married with children (and a very rare molester of their own children), usually well-regarded in the community as active members of a church and strong supporters of community activities (p. 18). One of the characteristics that both types of abuser shared was their attempts to find ways to spend time alone with children, often extraordinary amounts of time, through volunteering to take children on trips or caring for students for entire weekends, or through coaching activities or after school leagues. By spending time with the students, "a trusting relationship will develop with the child through the subtle use of persuasion in order to engage the child in an act of molestation. Once again, power and control over the victim become the subtle tools of persuasion used by the offender" (p. 19).

Shakeshaft and Cohan described abusers as often "judged to be among the best teachers in a district and are very popular with students and parents" (1995, p. 515). As did Bithe'l, they found that most abuse came from school personnel who had the



opportunity to interact with students one-to-one: "coaches and drama, art, music and gym teachers" (p. 516). They also found that most of the accused school personnel were considered outstanding teachers or coaches by peers and "often the abusers had been awarded prizes for outstanding teaching by local and state organizations" (p. 516). In their study, they found 96 percent of the abusers were male with 76 percent of their victims female and 24 percent male. For the 4 percent of female abusers, 86 percent of their victims were female, and 14 percent were male.

At a 1996, Professional Practices Institute for State Directors of Teacher Education and Certification, Adelle Nore, Chief Investigator for the Washington State Office of Professional Practices, tendered a description of the common profile developed through her investigations into claims of sexual abuse of students. The offenders were predominantly males, married, usually a parent, with their wives working in the same school system and often in the same building. Generally the offenders were well-liked by fellow teachers and staff and active in the community. However, they usually had few close adult friends and were strongly disliked by a small number of students, because the offender had approached them for sexual favors.

By the time the offenders were investigated, their employment likely spanned at least ten years, often in the same school system. At that time, they probably were investigated for the first time, but the offense for which they were investigated was not their first. Most had multiple victims within a discernable time pattern, created by the amount of time needed for "grooming" or preparing the victim for accepting a relationship and the actual victimization. By investigating back from the current victim until locating

the next earliest victim, the time pattern for locating additional victims could be established.

The main offenders, in order of the frequency of their offenses, were: 1) coach, 2) music director, 3) counselor, 4) administrator, and 5) any other adult in the school system. The main reason given by Nore for these groups to be top offenders was their ability to meet with or isolate students one-to-one. Very few of those offenders would have been reported to authorities beyond the school system. Rather, the offenders would have been allowed to resign and move on to another school system. If the state were ever to be informed of the sexual abuse of students by a particular offender, the report probably would stem from multiple victims coming forward from one school, or recognition that as a result of resigning and moving on, he or she had multiple victims in several schools. As victims were unlikely, without encouragement from friends or family, to voluntarily report a victimization until seven to ten years after the victimization, investigations into victimizations needed to include a search for victims in all of the schools where he or she had taught.

The profile of school personnel who were most likely to offend against students was very different than the description of the usual offender against children. Flowers (1994) described most offenders as "young, single males with lower intelligence levels with a greater tendency to be poorly educated and often socially and economically disadvantaged (p. 38). Welch (1988) after studying court case files of Canadian educators who had been convicted of sexual crimes against students, had also decided that educators who were perpetrators did not fit the common profile. However, he concluded, "their



behavior and their motivation for the behavior may not be significantly different" (p. 104).

Berson, et al. stated that "offenders in organizations such as schools typically victimize as many as 21 children over a 15-year time span" (p. 152). They also concurred with other researchers' descriptions of the offenders and described them as "highly popular or outstanding teachers" who "spend a lot of time with children, often try to teach needy children, are usually engaging and personable, and put students at the center of their lives" (p. 152). Their article also stressed the need to screen preservice candidates for potential offenders and begin the zero tolerance of sexual abuse policy early for the pre-professionals.

In describing two cases that occurred in his school system, Joseph Spirito (1994) confirmed that both cases of student sexual abuse he encountered shortly after assuming his position as superintendent were made more difficult for the community to accept as true because both teachers "enjoyed a long-standing positive reputation within the community" (p. 36). One teacher was a former student at the school where he was now teaching. The school personnel and community's response to the reporting and subsequent investigations of abuse led to the students leaving the school and transferring to other school systems to protect themselves and their families. Spirito also explained why he pursued the investigation and dismissal of the teachers: "One thing we learned was that the likelihood of a teacher repeating his or her misconduct in high and a school district will face greater liability if the misconduct is overlooked or the district fails to act on a previous complaint" (p. 37).

As had Bithell previously, Shakeshaft and Cohan distinguished between two



different types of abusers. The abusers who preyed upon younger students were once again denoted as pedophiles while the abusers who preyed upon older students were termed "romantic/bad judgment abusers" (p. 516). They distinguished the two groups more by intent than age grouping, however, by identifying pedophiles as "being attracted to children, and many have chosen to work in schools so that they can be close to children" (p. 516). Their victims were primarily students from the elementary and middle schools. The abusers known as romantic/bad judgment abusers did not seem to have this obsession with younger students but targeted older female students in middle school and high school. "These abusers saw their actions as either harmless or romantic. They grew up seeing verbal sexual harassment and touching as the natural way to deal with the opposite sex. These abusers usually said that they had 'affairs' with their students and often stated that they didn't see what the harm was, since the student was doing what he or she wanted to do" (p. 516).

Shoop also pointed out similar issues in his 1999 article, when he talked about the warning signs that should be recognized and dealt with by school personnel. He warned that overly affectionate behavior and inappropriate non-education contact were potential indicators of excessive interest in students. However, the behavior he stressed most was inappropriate non-professional behavior of school personnel which might be perceived as innocuous: "If they can tell a sexual joke and not be reprimanded, they may move on to touching a student's hair, breasts, or buttocks. When it becomes clear that the student is not going to report behaviors that can be denied or explained as accidental, then the teacher becomes more confident that further sexual advances will not be reported" (p. 10-

11). However, Shoop clearly believed that this type of behavior frequently was ignored or accepted by administrators and teachers within school systems. He had formed this belief after repeatedly receiving similar reactions from school personnel when he addressed the problem of student sexual abuse by teachers:

When I speak with educators about the problem of teacher-to-student sexual abuse, I am often met with hostility and defensiveness. Many just do not believe that any teacher in their school could sexually abuse students. They believe that if such abuse happens, it happens elsewhere and it is so rare and idiosyncratic that it does not warrant attention. Additionally, many have expressed that since every teacher knows that teachers should not be having sexual relationships with students, it is insulting to even talk about the issue. Unfortunately, it is just such attitudes that have created the climate that allows sexual abuse to continue (p. 10)

Stein (1993a) discussed the roles of the most prevalent offenders in school systems. As she framed the issue of student sexual abuse as existing in a school culture that condoned gendered violence, she focused on the fact that most offenders had access to students one-to-one. If a regular classroom teacher also served in the capacity of a coach, physical education teacher, music teacher, driver education teacher, or an advisor for a school club, “examples suggest a less frequent occurrence of physical sexual harassment from these individuals when they are in their public classroom roles as opposed to when they are operating in their adjunctive, more private roles” (p. 9). Furthermore, Stein perceived a system that would not report someone who was victimizing a student to the appropriate authorities as documented when “over and over again young women — and in some cases their parents — have told authorities in the school community what they were experiencing, yet no interventions on their behalf were forthcoming.” She called this a “training grounds for the insidious cycle of domestic



violence” (p. 24). Because authorities allowed the victimization of the students to continue, the students frequently assumed inaction by school officials was a green light to continue to sexually harass one another, and:

Similarly, in schools boys receive permission — even training — to become batterers. Indeed, if school authorities do not intervene and sanction the boys who sexually harass, the schools may be encouraging a continued pattern of violence in relationships. The larger societal problems of teen dating violence and domestic violence may in fact be fueled in our schools as sexual harassment. If schools need additional reasons and incentives to take seriously the problem of sexual harassment and to work towards its prevention and elimination, all they need to do is look at the cold hard facts of domestic violence: one million women reported attacks by husbands or lovers in 1991 and there are estimated to be over 3 million unreported attacks (p. 24).

### The Abused

The main test that potential victims had to pass with offenders was whether or not they could keep a secret. Bithell (1991) reported this key piece of information from a description offered by “an educator offender who had once been named teacher of the year.” This offender explained how he chose his victims:

1. He told the entire class a secret and then waited to see which boys told.
2. The students who told the secret were left alone, because the last thing an offender wants is a victim who cannot keep a secret.
3. Children were then observed to see which ones would follow orders.
4. The children who did not obey and who were difficult to control were left alone.
5. This offender always looked for a child who was well behaved, would follow orders, and was good at keeping secrets (p. 22-23).

The more a child has been trained to be obedient to an adult, the more likely she or he can become a potential victim for an offender. Because the child will anticipate being punished for disobeying an adult, “this places them at a severe disadvantage when sexual abuse is involved” (p. 23). Also, a child from a dysfunctional home, lacking in emotional nurturing,



may also be a potential victim as he or she seeks attention and affection from adults outside his or her home to counteract loneliness. "Some forms of neglect are found in 79 percent of the families of victims" (p. 23).

Bithell also pointed out that the most vulnerable ages for children, and particularly males, to be victimized were between the ages of 8 and 12. This fact, coupled with the knowledge that boys more frequently than girls were victimized extrafamilially, tended to make the boys more likely victims of caretakers, including educators, at these very vulnerable ages. Girls, however, became victims of choice for educators more often after they became pubescent rather than strictly by chronological age. Because boys were frequently given more freedom than girls in those crucial years, "the molester has freer access to boys than he does to girls" (p. 26). Unfortunately, because the boys had been told from early childhood "the male ethic does not allow them to show when they are hurt or afraid," victimizations frequently were never revealed by the boys (p. 26).

Finkelhor (1984) concurred with the vulnerability of the males and added another component to the reason for the silence of boys: homophobia. Even at very young ages, boys recognized that their victimizations by adult males were often perceived as indications of the boys being homosexuals. Although this perception is unfounded, Finkelhor expressed an urgency about educating the public:

Such efforts should broadcast explicitly the fact that abuse of boys is common. Boys and their families need public assurance that boys are not at fault for such abuse and that such abuse does not mean that the boys will become homosexuals. However, under-reporting of abuse of boys has deep roots in sex-role stereotypes and homophobia that will not be easily changed short of a direct assault on these attitudes. Boys will be less likely to report abuse as long as being the victim of a sexual assault is a threat to masculinity (p. 231).

Basta and Peterson (1990), identified the vulnerability of students trained to be extremely polite and obedient to adults when they administered the Children's Personality Questionnaire (CPQ) to student victims of teachers. They identified the students as being "introverted, shy, timid, sensitive to both approval and threat, considerate of others, more affected by feelings, and with a lower tolerance for frustration than non-molested children" (p. 561). The girls had quite frequently, prior to the victimization, been good to excellent students but their academic performance had diminished after the victimization and many were considered underachievers. Boys, on the other hand, often were less academically inclined prior to the victimization and were considered at great risk of failure afterward (p. 564). The issue of the ability to keep a secret was once again identified as a characteristic of victimized students: "CPQ scores also paint a picture of a child who is sober, serious, and cautious, introspective and secretive, who keeps in the background and who is not particularly popular with peers" (p. 561).

Reyome (1993) studied the academic effects of the victimization upon students and found, comparing victims to one control group of public assistance students and another of lower middle class students, that the victims were more likely to be placed in special education classes, were more likely to display aggression, and were more likely to achieve lower grades in math and spelling. A telling statistic was that, of the victims, "almost half repeated a grade in school" while about 25 percent of the public assistance students and 11 percent of the lower middle class children were retained (p. 29).

Minard (1993) addressed the issue of the ability to keep a secret and maintained, "Many adult perpetrators convince children that their victimization is a special secret just



between the two of them. Teaching children to make the distinction between a secret and a surprise can help them decide when to break a promise to an adult. Giving the children permission to question adult authority and the tools to make appropriate decisions can help them, at best, to avoid abusive encounters or at the very least, to know that they should tell a trusted adult of their victimization" (p. 12).

Stein (1993c) determined the need to address intolerance of sexual abuse within the school community to progress in dealing with victimization. She asserted that nothing would change in a school climate where "children are practiced in the art of doing nothing in the face of unjust treatment by others. When teachers subject children to a 'sit-down-shut-up-and-do-your-work' pedagogy, they don't learn to think of themselves as moral subjects, capable of speaking out when they witness bullying or other forms of harassment" (p. 327). In an interesting twist on keeping a secret, Stein targeted the schools who allowed molesters to move on to other schools as maintaining a "conspiracy of silence." She accused school personnel who maintained that silence of being "guilty at the very least of having created a negligent reference, and more likely, of putting more children in harm's way." She concluded, "Such conspiracies of silence and commission must stop, even if it takes prosecution for negligence" (p. 19).

Shakeshaft and Cohan (1995) described students who had been abused, particularly younger students. Their general description was of:

vulnerable, needy students who came from homes where little affection was shown or where there was little semblance of family. Several of the female victims were reported by the superintendents to be living with alcoholic and sexually abusive fathers.

Many of the students were marginal both academically and socially. Female



victims at the middle and high school levels were often more physically developed than their classmates. They also often had histories of 'bad girl' behavior, which made them less credible witnesses against their abusers (p. 516).

They also identified the method of choosing victims, particularly for pedophiles, as testing the students' ability to keep a secret. "By putting the children through a series of 'tests' that let the pedophile know which kids are likely to talk about the experience and which kids won't, pedophiles are able to eliminate children who might report the sexual abuse" (1993, p. 27).

### The Potential Consequences to Students From Abuse

Shakeshaft and Cohan (1995) included the possible effects of sexual abuse on students if intervention was not offered. During their study they had learned that in over half of the cases, nothing was done by the school district to support students. In fact, in many cases, students simply left the district or dropped out of school, with no follow-up attempts made by the school systems "even though the charges had been substantiated." When the students remained in the district, they were often subjected to ridicule from educational personnel and fellow students. They concluded: "Little was done to protect these students, to counsel the educational community about the appropriate response to the accusers, or to support the students against attack" (p. 519). For those students, however, the lack of support from the school was only the beginning of a lifetime of problems. A listing of ensuing problems identified from Conte and Schuerman's study (as cited in Shakeshaft and Cohan, 1994) of abuse victims included:

- + Sexual partners at an early age and more unplanned pregnancies and abortions
- Concentration Problems: Academic problems or excessive day dreaming,

- memory loss or inability to concentrate
- Aggression: Aggressive behavior such as yelling, hitting, breaking things or uncontrollable, unruly and defiant behavior
- Withdrawn: Spends time with friends or other children or withdraws from usual activities
- Somatic Complaints: Can't fall asleep or dizziness and faintness
- Character/Personality Style Difficulties: Nice or pleasant disposition or overly compliant, too anxious to please
- Antisocial: Hangs out with the wrong crowd or runs away, takes off
- Nervous/Emotional: Excessive activity, restless, moods change quickly
- Depression: Has difficulty communicating or talking or depressed or very unhappy
- Behavioral Regression: Has difficulty waiting his or her turn or clings to parents
- Body Image/Self Esteem Problems: Overly concerned about cleanliness or does not like her or his body, feels inferior
- Fear: Afraid of the dark or generalized fears
- Posttraumatic Stress: Can't fall asleep, moods change quickly, or has panic anxiety attacks (p. 12).

In her Master's field project, Redfield (1995) explored the entry of adults, who had been sexually abused as children, into educational programs. She found that they had common disorders that arose from that sexual abuse:

Although some disorders appear in childhood and lag into adulthood, many disorders will not be diagnosed until adulthood and these may worsen as time goes by. The most common childhood sexual abuse adult problems appear as a diminished sense of personal efficacy, relationship dysfunctions, authority conflicts, anxiety and depression, substance abuse, social isolation, sexuality disorders, and post-traumatic stress disorder. Cognitive distortion, a variation of self-devaluation that often leads to the victim's denigration of life's possibilities, is also observed among the long-term effects childhood sexual abuse victims may sustain (p. 1).

Redfield maintained the childhood victims of sexual abuse, who had dropped out of school because of the abuse, entering adult education programs or training programs would bring the effects of their earlier abuse along. She maintained if school systems failed to assist those victims, those students enrolling "when achievement deficits have frustrated adult



growth and economic progress,” would bring those problems along. She believed that schools, in some manner, would have to be responsible for assisting sexual abuse victims “to help them to access support for their efforts to escape the heavy grip of childhood sexual abuse effects” (p. 4). Redfield expressed particular concern for males who had been abused because they frequently remained silent about the abuse until their frustrations broke their silence with rage and aggression, but reiterated that, in general, both sexes shared similar post-abuse characteristics (p. 11). Redfield asserted earlier support from school systems was needed to assist the victims before the onset of adult problems.

Beitchman, Zucker, and Hood reported the short-term and long-term effects on victims of child sexual abuse. In 1991 they published the results of their study on short-term effects of abuse on children and in 1992 they again co-authored an article on the long-term effects. On the issue of short-term effects, they determined there was enough evidence gleaned from the studies to conclude:

1. Victims of child sexual abuse are more likely than nonvictims to develop some type of inappropriate sexual (or sexualized) behavior. In children, this tendency is observed in a heightened interest in, or a preoccupation with, sexuality which is manifested in a number of ways including sexual play, masturbation, seductive or sexually aggressive behavior, and an inappropriate sexual knowledge. In adolescents, there is evidence of sexual acting out, such as promiscuity and a possibly higher rate of homosexual contact.
2. The frequency and duration of sexual abuse is associated with more severe outcomes.
3. Childhood sexual abuse which involves force and/or penetration is associated with greater trauma in the victim.
4. Sexual abuse perpetrated by the child's biological or stepfather is associated with greater trauma in the victim.
5. Victims of child sexual abuse are more likely than nonvictims to come from disturbed families, with a high incidence of marital separation/divorce, parental substance abuse, and psychiatric disturbance (p. 552).



They also maintained that a close relationship with an abuser, such as a parental role or custodial role as in the case of school personnel, consistently created greater trauma for the victims of abuse (p. 549). Their review also established the fact that girls were five times more likely to be removed from the home after any abuse was uncovered while the abusers of males were much more likely to go to prison than the abusers of females (p. 548).

In the 1992 article on long-term effects of abuse, Beitchman et al, shared conclusions based on studies done to compare the apparent differences in women abused as children and women who had not been abused. They concluded that women with a history of childhood sexual abuse had similar difficulties as adults which were:

1. In comparison with women not reporting a history of Childhood Sexual Abuse, women who do report a history of Childhood Sexual Abuse more commonly:
  - show evidence of sexual disturbance or dysfunction;
  - report homosexual experiences in adolescence or adulthood;
  - show evidence of anxiety and fear, which may be related to force or threat of force during the abuse;
  - show evidence of depression and depressive symptomatology;
  - show evidence of revictimization experiences;
  - show evidence of suicidal ideas and behavior, particularly when they have been exposed to force or violence.
2. Insufficient evidence exists to show a relationship between a history of Childhood Sexual Abuse and:
  - a postsexual abuse syndrome;
  - personality disorders such as Multiple Personality Disorder and Bi-Polar Disorder; however, Multiple Personality Disorder may be associated with a history of both sexual and physical abuse.
3. When the relationship between abuse-specific variables and particular outcomes is examined, the following conclusions may be drawn:
  - the relationship between age of onset of abuse and outcome remains unclear, although more evidence exists to support a more traumatic impact of postpubertal abuse than prepubertal abuse;
  - long duration of abuse is associated with great impact;
  - the use of force or threat of force is associated with negative outcomes; the

specific long-term effects are not yet known;  
 abuse involving penetration (intercourse or oral-genital sex) is associated  
 with greater long-term harm;  
 abuse involving a father or stepfather is associated with greater long-term  
 harm;  
 male victims of Childhood Sexual Abuse appear to show disturbance of  
 adult sexual functioning (p. 115).

They also stressed the fact that once a child is victimized, they are “commonly  
 revictimized in numerous ways, all of which contribute to the long-term impact” (p. 115).

Tong and McDowell (1987) noted the fact that when male and female victims  
 were compared for effects of victimization, females exhibited stronger symptoms of low  
 self-esteem and problematic behaviors than did the males. However, both sexes showed a  
 higher level of reduced self-confidence when compared to their former confidence levels,  
 had decidedly more aggressive behavior aimed at themselves and others, had more  
 difficulty establishing and maintaining friendships and had decreased success in school  
 which sometimes led to the need to repeat years of schooling. The study stressed the need  
 for immediate, intense counseling and strong support systems for victims before their  
 childhood trauma affected their adult lives because “children who have been sexually  
 abused need a long-term treatment approach if these adverse effects are to be ameliorated  
 and if they are to be given some of the skills which will help them establish satisfactory  
 relationships in their adult lives (p. 381).

#### Reactions of Schools to the Reporting of Abuse by School Personnel

Wishnietsky's (1991) surveys of superintendents and students pointed out the  
 differences in the knowledge of the numbers of cases of sexual abuse by school personnel  
 between the superintendents and the students. While the superintendents reported



knowing about 26 cases, graduate of those schools reported 90 cases. The most telling information gathered was that only 7 of those students reported the abuse, and, in 6 of those 7 reports, no action was taken by a school system. In the remaining case the student was placed in a different classroom (p. 166). When these students responded to the survey, 87 of 148 students agreed with the statement that "students, teachers, and administrators have all participated in a conspiracy of silence about student-teacher sex" (p. 167). From his findings Wishnietsky concluded:

Although the data on the superintendents and the data on the students are not statistically comparable, the difference in the number of incidents reported by the superintendents and alleged by the students for the same time period indicated that more effective procedures for reporting sexual harassment are required (p. 168).

While I was researching this dissertation and corresponding by e-mail with Dr. Wishnietsky, he offered two additional pieces of information not included in his articles written about his surveys. He had discovered that a superintendent who had responded to his survey as having no knowledge of any cases, was in the process of negotiating to remove a teacher from his district at that exact time and, Wishnietsky was, subsequently, uncertain about the accuracy of other responses to the survey. Also, upon further examination of the sources of responses to his surveys, he had concluded that fewer students reported sexual abuse to school personnel in rural districts than in urban districts because of their belief that their reports would be ignored or covered up. His conclusion: "It appears it is easier to hide abuse in rural districts than it is in urban schools" (D. H. Wishnietsky, personal communication, November 17, 2000).

Leddy and Cox (1985) addressed the issue of reporting in rural areas in their paper



on, "Child Sexual Assault in rural Alaska — Issues and Solutions." They blamed the lack of reporting of child sexual abuse on the "Fish Bowl Effect," of "everyone knows what everyone else is doing." This effect made people "reluctant to make official reports regarding someone else's behavior. An attitude of 'live and let live' develops, often to an extreme and consequently intervention does not occur" (p. 3). They maintained that often this attitude arose from people initially reporting suspected abuse but "nothing happens. For whatever reasons, action is not taken by responsible parties following the report. As a result, individuals may become reluctant to step forward since 'nothing will happen anyway.' The failure to respond on the part of the authorities may cause apathy and reports of suspected child sexual abuse may cease" (p. 3).

Lamorey and Leigh (1999) also discussed the issue of addressing possible sexual abuse in rural schools when they disclosed their findings to a survey given to rural and urban educators. The rural teachers considered their communities as more conservative than the urban centers and "often noted that they felt bound by community standards and school board policy to avoid controversial issues at all costs." In discussing their decision to avoid controversy, the educators gave reasons such as, "Our school has ruled on some of these topics and does not permit them," and "I would be fired in a nanosecond if I touched any of these issues" (p. 7).

Shakeshaft (1994), in her article, "Responding to Complaints of Sexual Abuse," simply reported, "Most students believe that districts will not do anything about sexual harassment by staff or peers" (p. 25). Shakeshaft and Cohan's joint four-year research study, done mainly with New York school superintendents, had confirmed this. During

their study, they found few schools with written policies or procedures to report a sexual abuse case, and if a case were reported, the schools' investigations "tended to be poorly carried out. Superintendents rarely contacted the police or the district attorney's office, nor did they usually report the allegations to child abuse hotlines" (Shakeshaft & Cohan, 1995, p. 516). Very little was done to determine the validity of a student's report, and often, if there were an investigation, "the questioning of the students tended to be incomplete, and it was sometimes carried out in a way that could frighten or intimidate students" (p. 516).

Other findings by Shakeshaft and Cohan lent credence to their and students' concerns about the handling of reported cases and the belief that reports of sexual abuse by school personnel would be met with a negative response. They found evidence that:

- 1) most superintendents kept the allegations in-house and very rarely did a follow-up investigation;
- 2) allegations against female school personnel were taken more seriously than any against male school personnel;
- 3) any abuse of male students was perceived as more serious than abuse of female students;
- 4) female students were frequently accused of lying about sexual abuse while male students claims were accepted without questions;
- 5) allegations of homosexual activity were immediately believed
- 6) superintendents frequently had difficulty believing the allegations because the accused were often respected members of the educational community and their friends; and
- 7) superintendents often sympathized with male abusers if their accusers were female.

In the cases that were investigated and became known in the education community, "other teachers rallied to the defense of the accused teacher, often in ways that the superintendents felt jeopardized the



investigation and intimidated the students” (p. 517).

Additional findings from this study also reinforced student concerns about how a school system would respond to their reports. Shakeshaft & Cohan (1994) reported, that in the cases discussed by school superintendents, this was what happened to the accused:

- 38.7% resigned, left the district, or retired
- 15.0% were terminated or not rehired
- 8.1% were suspended and then resumed teaching
- 11.3% received a verbal or written reprimand
- 17.5% were spoken to informally
- 7.5% were false accusations
- 1.9% were unresolved at the time of this study (p. 35)

When Shakeshaft and Cohan asked the superintendents about the status of the 53.7 percent of school personnel who had resigned, retired, been terminated or not rehired, the superintendents could account for 16 percent of them. They knew those 16 percent were teaching in other school districts. They had no knowledge of what the other 84 percent were doing (Shakeshaft & Cohan, 1995, p. 517). Interestingly, Shakeshaft and Cohan found out where some of the unaccounted for were: “We uncovered a number of cases in which a teacher facing allegations of sexual abuse of a student turned up teaching in another district, without the hiring district knowing about the allegations. The practice is common enough that the superintendents referred to it as ‘passing the trash’” (p. 518).

As for support of students who reported, in the same article, Shakeshaft and Cohan reported that students in over half the cases were given no help. While the remainder of the students, were offered chances for counseling, superintendents did not know if they had received any assistance. A frequent outcome of cases was the ostracizing of students by school personnel, other students and the community at-large, and often the

students either left the school or dropped out of school altogether. Therefore, Shakeshaft and Cohan concluded from their study:

Our data indicate that children are at some risk of being subjected to sexual harassment and abuse in schools and that some of the very people who are supposed to be helping them end up inflicting harm. While the vast majority of teachers and other staff members do not sexually abuse students, some do. Our concern is that school officials may not be responding effectively to the abuse that does occur, in part because school procedures and policies have not been developed to protect students from abuse (p. 520).

Perhaps the most disconcerting finding in this study was the level of knowledge of sexual abuse of one or more students by a teacher, administrator, or another school employee that was held by fellow school personnel for lengthy periods of time before anyone took any action. Shakeshaft (1994) disclosed that usually by the time a superintendent heard about an allegation of sexual abuse, "complaints about the teacher had circulated for years, but that teachers, counselors, and principals who had heard the allegations had decided they could not possibly be true. They told no one and left no trail of complaints that would substantiate abuse" (p. 26). Shakeshaft and Cohan's conclusion for this phenomenon was derived from their conversations with the superintendents and other school employees: "Despite the low number of false allegations and the large amount of unreported sexual abuse of students, educational professionals are likely to focus on the harm that might befall them when schools address the problem" (p. 517).

Part of the reason for educators not readily responding to abuse may be explained by the results of a test given by Ford and Medway (1994) to teachers and school psychologists from Tennessee and California. In the test, the school personnel were given a scenario of a female victim and a male abuser. While most of the members of both



groups did state they would report the situation, 29 percent of the teachers and 13 percent of the psychologists laid the blame for the situation on the female victim. The only distinguishing feature of the placing of blame was the less traditional the woman respondent perceived herself, the less blame she assigned to the female victim. The authors of the test and article determined from the reactions the school personnel had to the test case, "the fact that both professional groups assigned some degree of blame to the child victim supports the need to educate school professionals about the dynamics of Child Sexual Maltreatment" (p. 6).

Henlie (1998) reported Edward Stancik, special investigator for New York City schools as believing, "On a scale of one to 10 [for the way reports of sexual misconduct were handled], with 10 being maximum appropriate effort, I would say we're at two" (Part 3, p. 2). The study produced evidence supporting Stancik's opinion, and concluded for schools to move upward on that scale, a national drive for improving school systems' treatment of student cases would have to be initiated. Henlie's study outlined several recommendations for schools and states to follow to assist in the elimination of such cases: 1) ban any school personnel and student sexual activity; 2) after a verified offense, make it very hard or impossible for school personnel to move on to a similar job; 3) increase resources for screening prospective school personnel; and 4) increase awareness of the potential for sexual abuse in schools. However, the schools' reactions to reports of sexual abuse received the most emphasis: "That means, among other steps, showing greater sensitivity to student victims and managing the backlash against them by students and staff members" and "policies that lay out clear and specific reporting requirements and mandate

that districts aggressively investigate suspected wrongdoing." To gain that objective, however, "the actual responses of those who must deal with specific allegations of sexual abuse in the schools" was cited as the greatest obstacle when researchers questioned people previously involved in trying to get schools to improve their response to cases (Part 3, p. 3).

Stein cited several recent court cases brought against school systems because "confusion or cover-up seems to be the typical response." She explained:

In cases of alleged child sexual abuse of a minor by a school employee, school officials often bypass the legal requirement to report these allegations to the state agency which is charged with investigating such allegations. School officials sometimes decide that they will conduct the first round of investigation, claiming the need for expediency and the value of their proximity. More likely, the delay or failure to report the allegations may be driven more by their desire not to hang their dirty laundry in public and to protect the accused, one of their own, than to protect the rights of the victim. None of these motives, however, exempt them from the legal requirement to report allegations of physical, sexual contact between an adult and a student to the proper authorities who are empowered by law to pursue the investigation.

In the meantime, the presenting problem and conditions fester, spawning an atmosphere, that, at a minimum permits and tolerates sexual harassment and discrimination. Such an atmosphere denies students the right to an educational equal opportunity as guaranteed by Federal Title IX, and equal protection under the law as guaranteed by the Fourteenth Amendment of the Constitution. (Stein, 1993b, p. 9-10).

Stein, et al (1993) used data from their survey on sexual harassment in schools to show the unresponsiveness of schools to reports of sexual abuse by school personnel from female students or their parents. In comparing the action taken against reported school personnel versus students accused of sexual harassment, girls responding to their survey stated that reported student harassers were reprimanded, suspended or expelled 53 percent of the time and 47 percent had no action taken against them, while of the school



personnel who were reported for sexual harassment, only 24 percent were fired or resigned and nothing happened to 77 percent of those reported (p. 12). School systems chose to act in less than one-fourth of the reported cases in spite of the fact that "some forms of sexual harassment may also be actionable as child abuse, sexual assault, rape, pornography, criminal or civil libel, slander, or defamation of character" (Stein, 1993, p. 316).

Stein (1993b) labeled any school superintendents and school boards, "culprits," if they had participated in allowing an educator to move from one school to another in a "backroom deal." She detailed why she thought the schools were culpable:

Armed with a letter of reference, the mobile molester moves along to another unsuspecting community where the accused is likely to repeat the alleged behaviors again. More than one culprit emerges from such scenarios because the mobile molester is a creation of a duplicitous superintendent and school board who prefer to pass along a harasser rather than proceed with dismissal proceedings. In such cases, the superintendent and the school board are guilty at the very least of having created a negligent reference, and more likely, of putting more children in harm's way. Such conspiracies of silence and commission must stop, even if it takes prosecution for negligence (p. 19).

Welch (1987) discovered few cases of educators arrested for sexual abuse of students existed because, "In most cases pressure to engage in plea bargaining commences only after formal charges have been laid before the courts. In the case of teachers a variant of such pressures may intrude into the preliminary discussions in the school office. The objective is to hide the problem and avoid embarrassing court proceedings" (p. 39-40). In the cases he did locate, he found all were multiple offenders yet had "without exception, considerable support from colleagues and friends during the court proceedings" (p. 72) and were highly regarded members of their communities.

### The Legal Responsibilities of Schools

In 1974, Congress passed the Child Abuse and Neglect Act which required specific individuals to report any suspected or actual abuse of children and Public Law 100-294 (the 1988 Reauthorization Act) perpetuated the initial bill. These laws set forward instructions for all states to enact child protections laws for every child in the United States and to establish requirements for reporting cases of abuse. The law also required a guaranteed immunity for anyone reporting suspected abuse in good faith. All states set up reporting guidelines and established penalties for not reporting suspected abuse. Those penalties usually included criminal sanctions and fines if the law was not followed. A more recent use for the "failure to report" conditions has been the collection of monetary compensations by victims in civil lawsuits. Bithell (1991) stressed that educators were obligated in all states to report suspected abuse and explained what that reporting meant in the context of the school setting:

The job of the educators is to report the abuse, not investigate it. Other professionals have been specifically trained in investigative techniques; but without reporting, protective services cannot be provided on behalf of the students. It is necessary that high risk children not only be identified as quickly as possible, but that their cases be reported to the proper agencies so appropriate treatment may be provided. That is why reporting is so critical and why laws were specifically written to require individuals to come forward when suspicion of abuse exists. The intent of the federal and state child protective laws is to protect the children.

Reporting is the first step (p. 32-33).

Bithell also stressed the importance of every member of the educational community understanding that they are obligated to report suspected abuse to the appropriate authorities. This includes, in most states, child protective services, law enforcement and, in the case of abuse by members of the educational community, the state licensing



department. The reporting obligation does not end with a report to a school administrator. "If a failure to report occurs, individuals are responsible and legally liable for the harm their negligence causes the victims of sexual abuse. By reporting the abuse, the educator ensures personal protection from further legal liability and sends a message to others that he/she will not be an accomplice" (p. 39-40).

Unfortunately, McIntyre (1986) found in a study he did with teachers that only 4 percent of teachers were very sure they would recognize the signs of sexual abuse and 75 percent disclosed they would not recognize the signs. Furthermore, when the teachers were given a hypothetical case, 22 percent of the teachers stated they would not report situations where abuse of children was evident if the parents denied they had abused the child and the principal or superintendent did not want them to report the abuse, and only 46 percent stated they would definitely report the abuse under those circumstances. These responses came from a group of teachers where 83 percent of the teachers stated they were aware of their responsibility to report the abuse (p. 11).

Shoop and Firestone (1991) conducted a research project to determine if six reasons they thought educators were not reporting suspected abuse to the appropriate authorities were accurate. They postulated educators : 1) did not know the characteristics associated with child abuse, 2) were not aware of their legal responsibilities, 3) feared reprisal from parents, 4) feared harm to a school's reputation or an educator's prestige, 5) lacked knowledge of reporting procedures, or 6) perceived child abuse as a problem for the doctors, the courts, or social welfare agencies (p. 118). They surveyed and interviewed educators about these issues and found:

1. All teachers knew they were legally responsible to report suspected child abuse, but the majority did not know the correct procedure or agency.
2. The majority of teachers would generally report suspected abuse to their principal. No one had reported directly to local state Social and Rehabilitation Services office, which is the official child abuse reporting agency.
3. More elementary teachers suspected and reported suspected child abuse than did secondary teachers.
4. Inservice training on school law, teachers' legal responsibilities, and child abuse (including traits; how to identify; how to report; who to report to) would be of value to all teachers even though some had taken courses or had inservice training on school law or child abuse prevention (p. 1120-1121).

These findings assisted Shoop and Firestone in understanding why, with all states requiring suspected abuse reporting, only 12 percent of cases of reported abuse were coming from education systems even though almost 50 percent of reported abuse cases involved school age children (p. 1117).

Stein, et al (1993) found through their study that when females divulged to school administrators they were being sexually abused by someone in a position of authority within a school setting, "nothing happened to the harasser in 45 percent of the incidents reported." As the study had provided evidence that only "about one in five told a parent, a teacher or a school administrator," the data established that, in the reported cases of sexual abuse, it was highly probably that less than 10 percent of the adult sexual abusers of female students were disciplined in any manner (p. 11). To reinforce these findings, and with the tacit understanding that most of the administrators contacted in the cases were male, Smith, Douglas and Fromuth (1997) conducted a study of male and female educators to determine if there were a difference in the perceptions of males and females about sexual contact between adults and students. Their study found that men "viewed this as a more positive sexual experience for the student than did the women. Similarly, men viewed this



event as having a more positive impact on the student's sexual attitudes and as less psychologically harmful than did the women" (p. 56). In the case of male students, many of the men expressed disbelief that a male can be a victim of harassment and were concerned that if a male were viewed as a victim, it could "call into question one's own masculinity" (p. 60). Women indicated that they perceived any relationship of this type as a "much more serious situation and were attuned to the exploitative nature of the relationship"; however, women were more judgmental about a student and expressed opinions that "the student's past was a contributing factor to what happened" (p. 57). Both male and female teachers, however, recognized a student and educator relationship as a "blurring of boundary lines and an abuse of power" (p. 59).

Fossey (1990) delineated the seriousness of the educators not reporting a fellow educator to the appropriate authorities, meaning reporting to state officials rather than or in addition to school administrators, by pointing out that educators failing to report could "face serious consequences. In most jurisdictions, it is a criminal offense for a person required by law to report suspected child abuse to fail to do so. In a few instances, professionals have actually been prosecuted based on charges that they failed to meet their statutory obligation to report" (p. 6). In 1991 in an additional article in West's Education Law Reporter, Fossey expanded his discussion to include the information that not only can an individual be prosecuted, but a school system can also be held liable in a civil suit if any school personnel knew about the sexual abuse of a student by an employee in that system and did nothing to end the abuse. "School districts and school administrators may be sued for damages caused by an employee who abuses school children" (p. 992). The violation of

a student's civil rights has been the basis for most of the cases which have used the laws and acts previously described in this chapter in the section on "Definitions of Sexual Harassment and Sexual Abuse." *Stoneking v. Bradford Area School District* (1989) was considered a defining case as a United States appellate court decided that administrators involved in that case were liable for not responding to complaints of sexual abuse of female students. At least five complaints were made against the teacher by female students over a period of years, and each time administrators had intimidated or discouraged students into dropping complaints:

A student has a constitutionally protected right to bodily integrity, the court said. Reasonable school officials would understand that this right encompasses the right to be free from sexual abuse by school staff. The court acknowledged that a public official cannot be liable under federal civil rights law for failing to investigate a constitutional violation. However, an official may not maintain, with deliberate indifference to the consequences, a custom, practice, or policy that directly causes emotional harm (p. 994).

Cases that charge negligence in hiring and supervising where "school officials fail to discover the employee's history of abuse in a pre-employment investigation, and the employee commits an act of child abuse," and where "school administrators could have prevented an act of child abuse through reasonable supervision of a school employee" are now being filed against school systems (p. 992).

Fossey stressed the need for school systems to "take any complaints by parents or children seriously," and to avoid the threat of law suits by accepting their "moral obligation to take reasonable steps to prevent a child abuser from obtaining employment where he may injure children" (p. 995). While there are no penalties for educators "who report in good faith to the designated state agency," the "penalties for failing to report can be



severe" as well as paving the way for a potential civil suit. Districts who may have previously reached confidential agreements which allowed suspected abusers to quietly resign are also now coming under scrutiny with recent court decisions that those agreements are open records, and those districts may now be drawn into legal suits as the records are examined (p. 1001).

Fossey outlined three pro-steps for school systems to take to be responsive to the needs and rights of students in cases of student abuse by school personnel. The steps were:

First, school officials should take the initiative in developing a coordinated procedure for child abuse investigations by the school district and outside agencies. Before an incident arises, the school district should contact the police and the state child welfare agency and attempt to negotiate a protocol for investigating child abuse in the schools.

Second, school officials should focus on shared objectives in their communications with the police, the press and the public. People involved in child abuse investigations share common objectives: to protect children from abuse; to minimize trauma and embarrassment to victims that could come from interviews, press coverage and judicial proceedings; and to ensure that persons accused of child abuse receive a fair hearing. Nevertheless it is surprising how often these shared objectives are forgotten in the emotions of the moment.

Third, the school district should use appropriate opportunities to tell its side of the story. Most school administrators are commendably sensitive to the privacy rights of child abuse victims and the rights of an accused employee to receive a fair hearing. Consequently, they often say very little when the press or the public ask questions which concern the security and safety of school children. Unfortunately, this strategy may be misinterpreted as a cover up. Without jeopardizing the privacy issues of parties involved in child abuse investigations or the rights of an employee to fair administrative proceedings, school officials should explain to the public what action is being taken to protect school children and to remove dangerous employees from the school (1005-1006).

McIntyre (1986) addressed another reason for educators, although they were aware of their legal obligations to report abuse, to abstain from their duty. In a study done with teachers who were knowledgeable about their legal responsibilities, over 50 percent of the

teachers stated they did not bother to report suspected abuse because of the belief that the reporting would not be heeded and acted upon by school administrators and responsible agencies. (P. 16-17). While Fossey had not included this issue in his list of reasons for not reporting, he did state in his (1991) article, that "some cases suggest that school districts at times may have been more concerned about the reputation of a teacher charged with harassment than with conducting an investigation of a student complaint" (p. 41). He also indicated he was aware that "student-complainants, who are mostly females, frequently find their complaints are not addressed in a serious, sensitive, and responsive manner" by school systems (p. 41).

Cooper (1998) stressed the importance of a school system remembering that it had a legal and moral responsibility for its students. She stressed the moral responsibility particularly in cases of older juveniles where a school system might forget that even though a student appeared to be a young adult, he or she was instead an older child in need of a school's protection. In spite of the fact that a student might appear to have been a willing participant in a relationship, the legal responsibility remained in place. The school system could be held "vicariously liable" for teachers who engage in sexual activity with their students — even when the student is a willing participant and not technically a juvenile, and even when no one in authority had knowledge of the improper activity until after the fact" (p. 46). She also stressed the importance of turning cases over to the appropriate investigators and authorities because "objectivity might take some effort, especially when allegations have been made against a colleague and a co-worker. But any hostility on the part of the interviewer, however covert, will discourage victims from reporting these



incidents. And it can contribute to the district's liability in a court case" (p. 47). The need for use of outside counsel in these cases was also stressed for similar reasons.

### Need for Further Research

The research on this important issue has only begun. To date, the full extent of the problem is not known. We do know, however, through the existent studies that public and private schools in this country have students in their midst that are being abused by their school personnel. We also know that the abuse is often being ignored or denied. However, identification of the problem is only part of the need for further research. Questions such as how, when and where the abuse takes place; what makes a student a candidate for victimization; what causes a good teacher to cross the line to become a perpetrator; what kind of screening mechanisms can be used to determine predilections for abuse; and how can school personnel be sensitized to the plight of students in their care need to be addressed. Although the completed studies are a step in the direction of addressing these issues, the voices of those most affected have barely been heard and heeded. Victims have been excluded from much of the research up until now except when they have been asked for feedback on the numbers of cases. They have valuable information to share about the methods of perpetrators, insight into why students might succumb to victimization, and perhaps ideas to keep other students from victimization. They need to be included in the research and to add to the discussion. This is the approach I have taken with this study.



### CHAPTER III

### METHODOLOGY

The purpose of this study was to investigate the decisions made by school districts on their courses of action as they determined what their responses would be to the reporting of sexual abuse by school personnel. The research focused on people previously involved in actual instances of reporting of sexual abuse of students by adults in school districts. In an attempt to understand the decisions made after the disclosures of abuse, people involved in the reporting and decision-making process were interviewed including victims, victims' parents, perpetrators, school counselors, school administrators, school board members, community members and law enforcement. By interviewing people involved in each tier of decision-making, from the victims' decisions to report to the final decisions of school board members to believe or not believe the victims and, thus, to report or not report the victimization to authorities, the reasons for the decisions were the focus of the interviews. By viewing the situation through the eyes of multiple players in the same situation, the reasons for the reactions of school districts were examined.

This chapter contains a description of and rationale for the research methodology used throughout the study. A brief description of the pilot study for the project is included, as well as an explanation for the choice of participants. In this particular study a specific site was not a consideration.



## Qualitative Research

To understand the decision-making processes that ultimately determined the outcome of the reportings of victimization, qualitative research was the avenue to pursue. With the open-ended interviewing process that is the hallmark of qualitative research, access was gained to the thoughts and reasoning of people faced with the need to make choices. Through the interview process, insight that might otherwise be closed off from most people was gained into situations where people had to confront potentially life-altering decisions. Weiss (1994) called this process learning through "people's interior experiences" (P. 1). The learning experience can be shared by many people while fewer, fortunately, have to live through the situation. Through a sampling of people encountering similar situations, the reliability of the behaviors and outcomes can also be validated or discredited (Maxwell, 1996).

As the intent of the study was to gain insight into the reasons for decisions being made regarding responses to the allegations of sexual abuse by adults in the school systems, the qualitative approach was indicated. Seidman (1998) described the purpose of interviewing in qualitative research as "an interest in understanding the experience of other people and the meaning they make of that experience" (P. 3). In this study, the interview was the vehicle to understanding why some school districts decided to disclose sexual abuses of their students, why some chose to ignore the disclosures, or why some opted to recognize that some form of abuse had taken place while refusing to punish the perpetrator. By interviewing the players we were assisted in understanding the meaning they made of their experiences and how that meaning entered into the decisions that they

made about those experiences (Seidman, 1998; Rubin & Rubin , 1995; Maxwell, 1996).

In all studies, there are limitations to obtaining definitive conclusions. While quantitative studies lead to standardized responses, the information may be fragmented and the participants may not be viewed as individuals with singular contributions. However, the information may be used with adequate validity to express percentages of large populations with specific characteristics or can be used to compare and contrast among subgroups (Weiss, 1994). In qualitative studies, the individuals are expected to express their own opinions and their responses generally are not conducive to counting, categorizing or predicting. The researcher often has to be relied upon to act as the interpreter and the integrator of information for others to make sense of the world of the participants.

Clandinin and Connelly (2000) described the interviewing process of qualitative research as giving us access to our past, present, and future and our "experience is what we study, and we study it narratively because narrative thinking is a key form of experience and a key way of writing and thinking about it"(P. 18). The smaller samples used in qualitative study, as opposed to large numbers of participants reached through quantitative methods such as survey and fixed-interviewing, usually does not lend itself to transfer to larger populations for generalization; however, the wealth of information on a concern, issue, or question may lead to greater understanding of that concern, issue, or question (Weiss, 1994; Rubin & Rubin, 1995; Seidman, 1998; Chirban, 1996, Creswell, 1998, Clandinin & Connelly, 2000).

After the gathering of information process is completed, the researcher can anticipate that the data obtained through the qualitative process will reveal the meanings of an event through the experiences of those involved (Seidman, 1998). Usually the data



come from several sources, such as open-ended interviews frequently with several interview sessions with each participant, observations of participants and events usually by the researcher, and written sources such as notes kept by the researcher during and after interviews, journals of the researcher, journals or letters of participants, and sometimes outside sources such as newspaper articles, board minutes, etc. Maxwell (1996) described this as "triangulation: collecting information from a diverse range of individuals and settings, using a variety of methods" (P. 75). With data from as many sources as possible, the possibility of bias and limitations of using only one method is lessened (Rubin & Rubin, 1995; Weiss, 1994; Maxwell, 1996; Seidman, 1998).

Those data are analyzed to determine recurrent themes and patterns. With the assistance of a computer program, in this case the Ethnograph 5.0, the data are read and re-read and coded, first for overarching themes and then for patterns that link the shared experiences of the participants. With the assistance of the Ethnograph 5.0 program, the researcher may code for themes, concepts and ideas that are shared by participants, or obversely, recognize that the participants may not perceive the shared experience in the same light. With the capability of grouping codes and categories from many participants through the use of the Ethnograph 5.0, similarities and differences can be analyzed within and across categories fairly easily. Materials can also be eliminated from consideration using the capabilities of the Ethnograph 5.0 as well. In this manner, discrepant evidence can often be identified and can either be searched for a plausible explanation, or the conclusions that the researcher has drawn to that point may need to be modified.

According to Maxwell (1996), if discrepant information is found "the basic principle here

is that you need to rigorously examine both the supporting and discrepant data to assess whether it is more plausible to retain or modify the conclusion" (P. 93).

McCracken (1988) wrote, "Without a qualitative understanding of how culture mediates human action, we can know only what the numbers tell us" (P. 9). With this study, and with the knowledge that sexual abuse cases in school districts are under-reported and ignored, the qualitative approach is the logical methodology. With careful collection of data, accurate recording of information shared by a variety of participants, and due care given to triangulation of data for agreement and discrepancies, the qualitative process lends itself to the insights that may be gained from the study.

### The Setting

For this study, the state of North Dakota is the setting. There are 231 public school districts, as well as 110 non-public schools (including 58 non-public schools mainly parochial, 5 Bureau of Indian Affairs schools, 4 state-run schools, 31 special education units, and 7 vocational education units) where every school day over 121,000 students can be found (Department of Public Instruction Fall Report Record Counts, 1999). Over 10,700 teachers and administrators are also in those schools on a daily basis, along with support personnel such as teacher's aides, janitors, secretarial support, hot lunch preparers and servers, and recess and hall monitors (North Dakota Educational Directory, 1999-2000). Overseeing the districts, directly, are school board members with other community members more or less involved, generally depending on whether the community members have school-age children or grandchildren in attendance. In the smaller communities the schools tend to be of more interest to the general population because of close relationships



among community members, school personnel and children and, also, many of the community activities are centered around the school. Music and sports functions draw most of the community members to the schools at some time during a school year.

In larger cities, the attention of the community is defrayed by the number of school buildings in the school system and the variety of activities that exist outside the school system. Usually the attention of parents with students in the school system is focused on the particular grade school, middle school, or high school their children are attending and they will usually know little or nothing about what is happening in other buildings. Their relationships with teachers and school personnel frequently is limited to interaction during parent-teacher conferences with the particular teacher or teachers that their students have each year unless any school personnel live in their neighborhood. Music and sports functions generally involve only people from the school building and many times will involve only specific grades within a building. Very few occasions would warrant attendance of all school personnel, students and parents at the same time.

For school personnel the rural districts represent either the entry point into the school systems for the younger, inexperienced teachers and administrators who do not have ties to the community or, for the older, experienced teachers who have ties to the community, a place to remain from near the beginning of their career until their retirement. At any given time in most rural schools there will be a mix of younger, transient teachers and administrators, more often now coming from out-of-state, along with local long-term teachers and perhaps an administrator who initially taught in the school. Often the long-term teachers are from the community or have married someone from the community.

Their children or grandchildren are often in the school system and the spouse will have ties to the business or farming community. While the younger teachers are recognized as transient, the long-term teachers are an integral part of the community (U.S. Department of Education, National Center for Education Statistics, 1999).

In more urban areas, the hiring pool is much deeper and very few first or second year teachers will be hired. Usually the teachers will enter the system from smaller surrounding districts or from out-of-state. Middle-management administrators, principals, quite frequently are hired from within the district as teachers move up in years and move into administration. The superintendent often is chosen from the inside as well or will be an administrator from a middle-sized schools or from out-of-state (U.S. Department of Education, National Center for Education Statistics, 1999).

Most of the support personnel will come from within the community. Infrequently will you find someone moving into a community to take a position as school secretary, janitor, cook, etc. Often the economic well-being of the smaller towns relies on the positions in the school to retain people within the communities and provide primary and secondary incomes for the households. Spouses of administrators and teachers frequently are given positions within the system as an incentive to draw or retain licensed personnel.

School board members often are long-time members of the community and have graduated from the school system. Many have children or grandchildren in the school system although board members will sometimes want to serve on a school board for personal reasons or have political agendas. Most school board members will rely on the recommendations of the administration of the school for most major decisions. As I have



learned from conducting workshops for school board members, very few school board members realize their actual duties and responsibilities as set forth by school law. North Dakota School Law assigns the authority to the school board for the overall operation of the school system and stipulates that an administrator is acting on their behalf with the authority resting in the board (School Board Powers, 1999).

The dynamics of the school systems, especially the more rural systems, play an active role in the decisions of school systems as they debate the accusations of students of sexual abuse by school personnel. The treatment of students and school personnel during an investigation into claims of impropriety, and the decision about what to do with an acknowledged perpetrator is heavily influenced by the relationships within the school systems.

In spite of the requirements for reporting any abuse of their students to state authorities, sometimes the dynamics of the communities may have more influence than any official requirements. In North Dakota teachers, administrators and school counselors are specifically named as persons required to report suspected abuse of a child (Persons required and permitted to report, 1965) to the human services department and a penalty for not reporting suspected abuse carries a class B misdemeanor (Penalty for failure to report, 1965). This applies for any case where the school personnel suspect abuse; the situation does not have to be proven. Apprising of school administration by teachers and counselors of possible abuse is not sufficient as state law requires that they make sure a report is filed with the human services department. Also, in cases where a teacher or administrator is relieved of duties because of sufficient cause either to remove the person

from his or her immediate duties or dismiss them (Legislative intent to the employment of teachers - Notification of discharge or failure to renew, 1945; Evaluation, renewal or discharge of superintendents of school districts, 1987), the school board must report its action to the state licensure board to ensure that proceedings for removal of the license of the individual may begin if it is appropriate.

Along with North Dakota laws specifically requiring reporting suspected child abuse to the two state licensing authorities, there is also a law, (States' attorney - Duty to notify the education standards and practices board and the administrators professional practices board, 1995), that requires all of the states' attorneys in North Dakota to report a felony or class A misdemeanor committed by a licensed North Dakota teacher to the licensure board. Most convictions for sexual abuse would fall within these categories and could assist the board in finding out about sex offenses perpetrated against students.

#### The Pilot Study

After participating in the end results of the decision-making process of school districts on whether or not to deal with sexual abuse claims, and having no insight into how they decided to deal with the claims, I decided to study one case of reported sexual abuse where I could interview most of the people involved in the process that would be my pilot. To alleviate any bias that could have arisen from studying claims in which I had been involved while I was employed at the Education Standards and Practices Board, I selected a case which pre-dated my involvement in any investigation of student sexual abuse allegations. The case was documented with school board minutes (to the extent that it acknowledged the parents had appeared before the board), letters, and eye-witness



accounts. Eventually I would talk to the victim, the victim's parents, close friends of the victim, the perpetrator, the president of the school board at the time of the occurrence, and the principal who was at the school at the time. The superintendent in charge at the time is deceased. The victimization had occurred almost thirty years before, giving all persons involved in the situation time to reflect on what had occurred and how the reporting had been handled. Also, enough time had elapsed to see how the decision made by the administration and school board had affected all of the lives of the people involved.

I contacted Valerie (NOTE: all names assigned to persons involved in this study are pseudonyms, used to protect the confidentiality and privacy of those who agreed to participate in this study) on the recommendation of someone who knew her to see if she would be willing to participate in the study. Valerie immediately agreed to be interviewed about her victimization by a teacher in the school system she had attended. I interviewed her three times over a three month period. She discussed the sexually abusive situation, the efforts of her parents to get cooperation from the school administration and school board to remove the teacher from the system, and the affects the decision of the school district not to believe her claim has had on her life. At each interview it was apparent to her and to me that she was unable to recall completely many events she knew had taken place while periods of time throughout the ordeal were completely blanked from her memory. In most instances she was able to supply the names of people who could verify the abuse and, with her permission and cooperation, I contacted those people she knew could give documentation and verification of the abuse. Students who were close friends at the time, who had tried to protect Valerie from the teacher, verified the abuse and filled in

information which I shared with Valerie, with their permission. The principal of the school verified that although he never "officially" knew about the abuse he knew that the infatuation and pursuit of Valerie by the teacher was common knowledge among the teachers. The janitor of the school, who was the first person from the system to warn Valerie's parents about what was occurring, spoke about his attempts to protect her from the teacher by keeping her with him during lunch hours. Her parents discussed in agonizing detail their visits to the school superintendent, each board member, the county superintendent, and the county sheriff. The president of the school board acknowledged that there was very good reason to believe the abuse had taken place, but claimed not to remember why the board decided not to believe the student. Lastly, I interviewed the perpetrator who admitted to the infatuation with and "possible sexual harassment," of the victim. This perpetrator now has a known record of victimization of at least five other female students in four different states with each school releasing him from his teaching contract without penalty and no reporting of the victimization. The fifth state, with multiple victims, much to his chagrin, took action against him to ensure he would no longer be eligible for teacher licensure. He was never subjected to criminal procedures. As he perceived himself safe from prosecution because of the statute of limitations and the anonymity of the interviewing process, he spoke freely to me about his behavior and how he was able to abuse females in various school systems without fear of prosecution.

Along with one to three interviews with people who knew Valerie and could document the patterns of abuse, and interviews with school personnel who could document the actions taken by persons in positions of authority, I reviewed school board



minutes and a diary that Valerie's mother had kept, and shared with me, while she and her husband had talked to the school superintendent, individual school board members, contacts with the county superintendent, and law enforcement and into the following year when they moved Valerie from their home school system to another town because the teacher remained in their home school district and continued the harassment.

The pilot study expanded to a search to find if the reasons given by a school district for not taking action against a teacher or other school personnel in a case of sexual abuse would be reflected in decisions made by other school districts. Would similar reasoning be followed in the decisions of the people in positions of authority as they decided either to pursue the claims of students, ignore the claims, and sometimes even actively suppress the claims of sexual abuse? Through referrals by teachers, discussions with parents, combing of news articles about claims of abuse, and prior knowledge on my part of victims, I began seeking other victims to interview as well as parents, school administrators, school counselors, school board members in schools where the victims had either been acknowledged or ignored and school personnel who were admitted perpetrators.

### Selection and Description of Participants

Because the pilot study involved a student who had been gone from the school systems for a considerable length of time, I decided to seek victims whose abuse covered a time span from Valerie's case up to very recent cases. The selected cases covered a time frame of over thirty years of decision-making on the part of school systems as they decided how to respond to allegations of suspected abuse of students by school personnel. In this

way, I hoped to determine if there was an appreciable difference in how school districts currently react to allegations of abuse versus the response of a school district more than thirty year ago. In the interviews with the victim, the perpetrator (if it was possible to locate him or her), school personnel and community members, I focused was on the reasons for the decisions that were made at each step of the process from the initial revelation of the sexual abuse of the victim, to the legal proceedings that resulted if the perpetrator was brought to trial or pled out in the case. Law enforcement officials were included in the interviewing process to give insight into the cooperation or lack of cooperation for this phase of the investigation.

To address this issue from this perspective, I located victims who fell in this time span with the youngest victim now having attained the age of eighteen, although the victimization had occurred earlier, and found victims in their twenties, thirties, and forties who were willing to be interviewed, as well as school personnel, parents, community members, law enforcement officials, and the perpetrators of victimization who were willing to be interviewed. The choice of victims no younger than eighteen was deliberate as it allowed for a period of time to have passed between the victimization of the person and the recounting of the experience. The passage of time also had given the victim an opportunity to reflect on the events that had occurred and to deal with the emotional effects of the victimization. For the most part, the concern that the victims would be reluctant to discuss a time period that was traumatic to them was greater on my part than for the victims. Each one, at some point during or after the interviewing process, expressed their relief and appreciation for being able to talk to someone about their



experiences who was not doubting their credibility or was not treating them as if they were too fragile to cope. In one instance, the interviewing process opened up the lines of communication between the victim and her parents that allowed them to discuss what had actually happened to the victim. This came after twenty years of silence about the situation that was caused by fear on each persons' part that such a discussion would be painful for the other. The opposite was true. Their discussion healed a twenty year rift.

Apart from the victims and their parents, if the parents were interviewed, none of the other participants were aware of the other people being interviewed about the cases. Hopefully, with the participants unaware of others being interviewed, the possibility of corroboration of information or discrepancies in information was greater and more credible than if the participants had been aware that others were being interviewed about the same situation.

A second concern in the selection process of participants was that rural and urban school cases be included. The size differentiation was needed to determine whether there was a noticeable difference in the manner in which rural and urban school systems reacted to the notification of abuse of a student by someone within the system, whether there was a difference from community to community in the reaction to the notification, and, if there were differences, potential causes.

The third concern was getting cases from across the state to determine if there would be a noticeable difference in the reaction to the reporting in communities in different parts of the state. The issue of urban and rural was once again taken into consideration in an attempt to ensure the representation of both small and large school systems in different

areas of the state. Ultimately, the results of the research showed little or no difference in the determinations made by school systems caused by geographic location, but the conscious effort to determine if there was a difference possibly strengthened the findings of the research. Although the findings of qualitative research usually are not and should not be generally applied, the possibility that many school systems of different sizes and locations would show similar results could strengthen the conclusions. Maxwell (1996) does make a case for the potential for generalization of results from qualitative studies if three elements are present: 1) There is no reason to believe that the results could not be applied more generally; 2) A theory may be developed that could apply to other situations; and 3) A number of features lend plausibility that a generalization could occur based on "respondents' own assessments of generalizability, the similarity of dynamics and constraints to other situations, the presumed depth or universality of the phenomenon studied, and corroboration from other studies" (P. 97 - 98). The few studies that have been done in this area (Shakeshaft, Wishnietsky, the AAUW Survey, and the others that were previously discussed in Chapter II) do in fact share similar conclusions with the findings of this study although those studies are basically quantitative studies and arrive at their conclusions through surveys and other quantitative tools.

In an effort to determine if there were a difference in the process of decision-making based on the sex of the victim and/or the perpetrator, I included a male victim in the study. This approximated the ratio of male to female victims as determined in the above-mentioned quantitative studies. Also, in every interview, with all participants, I asked whether the interviewees would possibly anticipate a difference in the reactions of



school systems to the reporting of the victimization of a male or female student or a male or female perpetrator as well as other key questions (see Appendix A). In every instance, the responses of all interviewees were the same to each scenario. The only difference was a slight variation in reasons given for the decisions.

My fifth concern was including cases that reflected the possible decisions that could come from the reporting of abuse. For two of the victims, the claim of abuse was rejected immediately and the students were punished to some degree by the school and the community. The parents of one of the victims reported the abuse to law enforcement officials after the school refused to take any action. A school counselor reported the abuse of the fourth victim to the human services department after the administration of the school district decided not to pursue the claim, and the fifth victim received the full support of the school system and state officials as the perpetrator was arrested and convicted. This mix generally reflects the response patterns of school systems in general in the United States as discussed previously in Chapter II. No quantitative study has been done in North Dakota to determine if the national pattern would be reflected in the responses of North Dakota school districts.

Finally, the accessibility of some of the people involved in the situations determined which victims would be used in the study. As the cases spanned over a thirty year period, some of the key people in the decision-making processes in some cases were not readily available. Through retirement, death, incarceration, and out-of-state moves, some of the people who could verify events and decision-making activities were not available. Also, some people who could have verified happenings refused to take part in the process even

when assured they would not be identified. Obversely, several people volunteered to be interviewed when they were told about the study, some because they wanted to justify their actions and others because of their desire to share their experiences to help other systems faced with similar situations. The interviewees did, in fact, reflect both points of view.

### Data Collection

Interviews with 28 participants were the primary data source for this research. I interviewed two victims twice, two of the victims three times, and one victim four times. These interviews generally lasted between two and three hours. I was also in contact with two of the victims by e-mail and still am receiving e-mails from them (see Appendix B: excerpt from e-mail used by permission of the interviewee). I interviewed two of the perpetrators twice for two to three hours and one of the perpetrators for three hours and six hours respectively. With permission from one of the perpetrators, I obtained a two-hour interview with a counselor who had worked with him over a period of several years as well. I interviewed a set of parents and two individual parents of victims, each for one interview with the interviews approximately four hours in length. I interviewed a law enforcement official about two cases with which he was familiar for approximately three hours. Two community members who were involved through their jobs with the cases and had been aware of the allegations of victimization at the time of the reporting were interviewed for approximately three hours each. The remainder of the interviewees were people from within the school systems including school board members, school administrators, school counselors and other school personnel (See Figure 1).



Following are five brief outlines of the cases I reviewed in this study:

- Case A:** Place: A small town in the northern part of North Dakota, population 400  
 Victim: Valerie (now early 50's), self-described as shy, good student, 2 parents, 2 siblings  
 Perpetrator: Freshman social studies teacher  
 Course of abuse: 2½ years  
 School board notified by father  
 Action taken: None officially. Student transferred to another school. Teacher remained.  
 Interviewees: Valerie, parents, school board chair, principal, perpetrator, 2 friends
- Case B:** Place: A small town in southern North Dakota, population 350  
 Victim: Vickie (now late teens), self-described as introverted, average student, 2 parents, oldest child in a family of four  
 Perpetrator: Seventh grade physical education teacher  
 Course of abuse: 1 year  
 Victim and family disclosed to outside authorities  
 Action taken: Perpetrator convicted, served no time.  
 Interviewees: Vickie, one parent, counselor, principal, law enforcement officer
- Case C:** Place: Medium-sized town in western North Dakota, population 12,000  
 Victim: Vic, (now mid-30's) self-described as quiet, average student, parents divorced, an older sibling  
 Perpetrator: Junior high school physical education teacher  
 Course of abuse: 2 years  
 Victim's mother reported to superintendent  
 Action taken: Perpetrator convicted, served time and lost teaching license  
 Interviewees: Vic, superintendent, perpetrator, one parent, community member
- Case D:** Place: Medium-sized town in eastern North Dakota, population 5,500  
 Victim: Vonda, (now late 20's) self-described as small, quiet, low to average student, parents divorced, no siblings.  
 Perpetrator: Eighth grade music teacher  
 Course of abuse: 1 year  
 Foster parent reported to outside authorities  
 Action taken: Teacher released from contract. Vonda moved to another town.  
 Interviewees: Vonda, school board member, superintendent, perpetrator, community member
- Case E:** Place: Larger town in central North Dakota, population 35,000  
 Victim: Virginia, (now early 40's) self-described as somewhat introverted, good student, 2 parents, 2<sup>nd</sup> of three children  
 Perpetrator: Sophomore home economics teacher  
 Course of abuse: 6 months  
 Victim disclosed to counselor  
 Action Taken: Virginia transferred to another school.  
 Interviewees: Virginia, school board member, principal, counselor, parent

**Figure 1:** Descriptions of participants in the study.

Each of these individuals was interviewed once with the time of the interviews ranging from one hour up to four hours. All of the interviews were taped and transcribed into a format that could be used for analysis with the Ethnograph 5.0 program.

I met with most of the interviewees either in their home or mine. At my home no one else was present, while at the interviewees homes, I left it to them to decide if they wanted family members to be in the house. However, I met three people in their places of business as the amount of traffic and visitors was high enough to assure the people that my visits would not be singled out for notice. For two of the perpetrators, I arranged neutral meeting grounds in semi-public buildings. The third interview was conducted by telephone. At the beginning of each interview, I reiterated the interviewee's right to terminate the session at any time, to refuse to discuss a topic, or to pause the proceedings if the interviewee was distressed. Some of the interviews were followed up by telephone calls initiated by either myself or an interviewee and some e-mail correspondence also followed.

Although many qualitative researchers (Seidman, 1998; Rubin & Rubin, 1995; Weiss, 1994; etc.) recommend three interviews with each interviewee, I decided for several reasons to restrict some of the interviews to one or two meetings, and, in one case, I interviewed a person four times. I initially asked each participant if he or she would be willing to be interviewed at least three times, and each signed an interview agreement acknowledging their willingness to participate for that amount of time (see Appendix C). For various reasons, foremost of which was the amount of information the interviewee was willing or able to share, I opted to either interview the maximum amount of times requested or decided that further interviews were not necessary. This was particularly true



as the interviewing process wore on and the point of saturation was reached which Creswell (1998) has identified as the point where interview data becomes repetitive and when little or no new data is being added. At that point, I continued with the interviews but did not seek more than one, or at the most, two interviews with each interviewee. I also gave the interviewees, with the exception of the perpetrators, the information on where to contact me if they had further information they wanted to offer. The repetition of information from the variety of sources also reinforced the probability that the number of participants and choice of interviewees were sufficient to lend credibility to the data that were gathered. (McCracken, 1988).

The entire study, including the pilot study, involved approximately 80 hours of interviews. Each interview was taped and transcribed as soon after the interview as possible. However, in two instances, the transcriptions were delayed: Once, when I traveled approximately 800 miles round trip to interview a person and did not transcribe the tape until I returned home and again when I discovered my tape recorder had malfunctioned and I had to recreate the interview from notes I had taken during the interview. I did not enter the information into the Ethnograph program until I had sent the transcript to the interviewee for verification of information.

The only opportunity I had for observation in the study was the time I spent with the interviewees as all events had taken place earlier. I did take extensive notes on the demeanor of the people as we discussed the cases and noted the differences in their mannerisms during different portions of the interview. I added those notes to the Ethnograph 5.0 program to study along with the transcript information during data

analysis. I particularly noted the times in the interviews when the interviewees were at ease or appeared to be experiencing stress. As the topic of discussion tended to be stressful for many of the individuals, I was particularly careful to attempt to not dwell on topics generating stress for extended periods of time. At some points in the interviews, particularly with the victims and the perpetrators, I stopped the interviews for several minutes several times and either talked about other topics or simply discontinued talking. In each interview I tendered the invitation for the interviewee to discontinue the interview. None did, however. The only major surprise in an interview was the entrance into an interview of a sibling of a victim who supported the victim and described (in graphic detail) what would be an appropriate punishment for the perpetrator.

The documents that I used for background information ranged from notes of school board minutes, newspaper accounts, and journals to trial transcripts. In one case a newspaper reporter had attended every school board meeting where the case was discussed, interviewed law c<sup>o</sup> officials extensively, attended the trial of the perpetrator and had written lengthy articles about the procedures. Two cases had some minutes of school board meetings where the parents and/or the victim and perpetrator had appeared. For two of the five cases, no official documents existed. In one of those cases, journal entries, written by the victim several years after her victimization, was the only written proof that the event had occurred. However, the account in the journal was proven to be fairly accurate through interviews. In the other case, the remembrances of the school personnel and the perpetrator coincided closely with the victim's recollections although approximately ten years had passed since any of the interviewees had seen one another.



## Data Analysis

With approximately 80 hours of data from interviews, with the shortest interview transcribed to 15 pages of information and the longest interview to 102 pages, at first blush, the making of meaning out of information seemed almost insurmountable. However, as I had previously begun the analysis process with the data from the pilot study, I had already established codes that had worked well to analyze similar data. With the assistance of the Ethnograph 5.0, a computer software program designed to assist in the analysis of data derived through qualitative research, I continued to enter the data into the same program folders that I had established from the pilot project. Taking my cue from Creswell (1998) I began writing notes and memos to myself in the appropriate bits of data that reminded me of information I had coded during the pilot project. Within the Ethnograph 5.0 program, there is a family tree feature where individual codes can be grouped. I had already begun the coding under the three categories of "community," "school," and "family," as repetitive data informed me that these were the groupings that marked the points where the decisions were fostered and carried out as a school system deliberated about the reporting of sexual abuse. The broader category of the "community" essentially channeled into the "school" environment where the fate of a "family," and especially one member of a family, came under scrutiny as the school officials debated. The information beneath the headings focused on the recollections of interviewees as they remembered discussions with various school officials on the probability of any sexual abuse having taken place, decided if there was cause to believe or disbelieve the role of a perpetrator, weighed the possible reactions of the community to the claim, and, finally, made a decision



to accept or reject a report. All of these deliberations impacted the reporting person and his or her family. Unfortunately, even as the volume of data increased, the outcome was repeated again and again.

### Coding

As I coded I quickly acknowledged the fact that there were distinctions made by the sex of the individual(s) involved in most aspects of the reporting of sexual abuse. For each phase (male or female victim, male or female victimizer, male or female reporting, male or female roles in blaming, and community beliefs about males and females), the sex of the person generally made an obvious difference in the credibility of the reporting, the amount of effort made to determine whether the abuse had taken place, and the decision made by school personnel whether to take action on the report. Unfortunately, my need to distinguish between males and females in the coding process bears stark testimony to some of the reason for the reluctance of schools to accept the accusations of most of the victims.

Adult credibility versus student credibility also permeated the coding process. Particularly during the initial stages of the reporting, the school communities weighed the credibility of the students and adults as they decided whether to believe the alleged victim or the accused adult had greater credibility. The religious beliefs of the community, the community's attitude toward males and females, its respect or disrespect for students, any placing of blame, any indications of supporting the victim or supporting the perpetrator, evidence of differences in levels of support between male and female victims or male and female perpetrators were all factors to code to see if they influenced how the reporting was handled. Thus the coding process reflected the search for these factors of the



decision-making process.

### Categories

Moving outward from individual codes, the three categories, as previously stated of “community,” “school,” and “family,” are the three influential pieces to the outcome of a report of sexual abuse by a student. The attitudes of the community, the perception of the community held by the school personnel involved in the decision-making process, and the influence those attitudes had on the victim and his or her family played into the final decision rendered on the reporting. Many of the interviewees expressed a belief that religious and conservative attitudes in some of the communities where the victims in the study had resided had affected the outcome of the decisions to report and had caused a difference in the perceived credibility of male and female victims. They also were convinced that their schools mirrored the community at-large in its treatment and attitude toward its students, and, in each case, the students and their families believed they knew why their respective school systems had reacted as they had because each family knew the community’s culture. Categories were created to determine the degree of validity in this belief.

### Patterns

Study of the categories revealed patterns of behavior emanating from the general community and the school community that made the issue of how school officials would react to a report of abuse almost predictable. The patterns were visible in every interview with every interviewee, to some extent, and many of them surprised themselves by being able to voice the reason for a behavior they had encountered or observed. Most of the

people had lived in the same community, or a community that was very similar, for most of their lives. However, this was the first time that most had looked closely at wide-spread beliefs that had influenced their lives and had influenced the decisions made during the reporting of sexual abuse and the stages of deliberation that had led to the decisions to believe, ignore, or deal with the allegations. That patterns that emerged were as follows:

1. The sex of the victim set up the difference in the scenarios that would transpire at the time of the reporting. No female victim was immediately believed. One was eventually believed because of a court conviction and one school believed her claim enough to remove the teacher from the school while the other two were never believed. The male was immediately believed to be a victim.
2. Religious beliefs of the community entered into the decisions of guilt or innocence of the victim and/or victimizer. Religion was mentioned in all cases as the measure for viewing moral issues, and reactions of prominent members of the communities, who often were lay leaders in the dominant religion in a community and often in leadership positions in a school system, were viewed as bellwethers for reference by interviewees for insight into how the school decision would be made and viewed.
3. Community pressure entered into the school officials' final decisions to the extent that there was a marked difference in the handling of the report by administrators who were either brought up in the community where they were now administrators, had grown up in a community very similar to the community where they now lived, or had served in the specific community for a considerable length



of time, versus administrators who were from very different communities or were relative newcomers to a community.

4. Community attitude about female roles and how females should act, and its perception of male roles and behavior played a role in the credence of the reporting of abuse of a female or male victim and the gender of the alleged perpetrator also entered into the credibility of the reporting process.

5. Homophobia was implicit or explicit in every interview whether the case in point involved a male or female victim. All of the interviewees at some point, sometimes voluntarily or in response to my questioning, identified how they thought the school system would differ in its response if a male were a victim as opposed to a female, in the case of a male perpetrator, or if a female were a victim of a female perpetrator as opposed to a heterosexual victimization.

6. The credibility of the adult victimizer weighed heavily in the decision-making process with claims of innocence received favorably, or not, depending on whether a person had been in the system for a considerable period of time, was a relative newcomer from a nearby community with similar characteristics, or was considered an outsider as he or she had been in the system a short time and had no local ties.

7. Retaliation of some form was present in almost every case of reported victimization arising from community sentiment and/or pressure.

8. The worth of male versus female victims remained an issue if the perpetrator entered the criminal justice system; that is sentences were imposed differently for male perpetrator/female victim, male perpetrator/male victim, female



perpetrator/male victim and female perpetrator/female victim.

9. The school system's acceptance or rejection of the claim of abuse had long-term effects on the lives of victims.

By identifying patterns that were evident in the data, I had passed through the phase that Creswell (1998) called "making sense of the data," or interpretation (P. 145). That process paved the way for the final assertions (See Figure 2 describing codes, categories and patterns identified).

### Assertions

The following assertions are made based on the analysis of the interviews with 28 participants involved in the decision-making process that began with a student bringing an allegation of sexual abuse by a person in a position of authority within a school system. The interviewees discussed the phases of the report as it received an initial rejection or precipitated an investigation, entered into the community knowledge bank (sometimes called the rumor mill). They measured the level of acceptance of the complaint by the steps the school authorities were willing to take ranging from beginning efforts to remove the perpetrator from the system, but no criminal action, to informing state officials and law enforcement of the victimization and supporting the victim. These assertions were derived from input from victims, perpetrators, school personnel, community members and law enforcement, from verification of the data from the individuals with other literature sources that have documented similar findings, and from notes and observations that I have kept throughout the interviewing and coding process. The fact that interviewee after interviewee echoed information I had already received from other sources to the point



The following are the codes, categories and patterns ascertained as I studied the data:

### Codes

#### Female Victims

Fb - Blame  
Fch - Characteristics  
FCper - Community Perception  
Fcr - Credibility  
Fad - School officials' perception  
Ffm - Family background  
Fre - Religious response  
Fsup - Supporters  
Fdet - Detractors  
Fste - Short-term effects  
Flte - Long-term effects

#### Male Victims

Mb - Blame  
Mch - Characteristics  
MCper - Community Perception  
Mcr - Credibility  
Mad - School officials' perception  
Mfm - Family background  
Mre - Religious response  
Msup - Supporters  
Fdet - Detractors  
Mste - Short-term effects  
Mlte - Long-term effects

#### Perpetrators

Pb - Blame  
Pch - Characteristics  
PCper - Community perception  
Pcr - Credibility  
Pad - School officials' perception  
Ptie - Ties to school system  
Pre - Religious response  
Psup - Supporters  
Pdet - Detractors  
Pex - Explanation of abuse  
Pcons - Perception of students  
Prem - His or her fault, or not

### Categories

School Actions/Perceptions

Community Actions/Perceptions

Family Influence

### Patterns

1. The sex of the victim made a difference in the potential reaction of the school systems to the reports of victims with males having greater credibility
2. Prominent leaders of the community, serving in lay capacities in churches and in positions of authority in school systems, were recognized by interviewees as bellwethers for the school systems accepting or rejecting the report of sexual abuse
3. Community pressure for handling the reporting factored more into the decisions of administrators with close ties to the community
4. Community attitudes about female roles and female behavior, male roles and rights, factored into the credibility of female victims, male victims, female perpetrators, and male perpetrators
5. Homophobia was described as a key factor in the immediate acceptance of the victimization of a male student by a male adult
6. The credibility of the adult perpetrator weighed heavily in the acceptance or rejection of a report of abuse
7. Retaliation for reporting sexual was present in almost every case
8. The worth of male and female victims entered into the imposition of sentences in cases brought to trial
9. The acceptance or rejection of a report of sexual abuse had long-term effects on victims

Figure 2: Codes, categories and patterns identified in the research process.



where I have no clear recollection of which interviewee may have first introduced a pattern that led to an assertion also has reinforced the credibility of the data derived. Although the interviews were all conducted in a conversational, open-ended manner, sometime in the interview the major patterns and assertions were discernable in responses of interviewees. Also, the geographical focus on the entire state rather than one community or region, the differences in the time frames of the cases studied, the geographic distribution of the interviewees presently through the entire state and out-of-state, and the anonymity of the interviewing process with most interviewees unaware of others involved in a case being interviewed, aide in the reliability of the information offered by individual participants.

In each case I went into the interviewing process with knowledge of the success or failure of the attempt to report a victimization and each interviewee was included in the study because of their knowledge of the some part of the reporting process. For that reason I attempted to listen very carefully for any disconfirming pieces of data that may have been present. In this study, disconfirming evidence was given by each of the perpetrators during their interviews. I have attempted to include that input, but at some point during each of the interview processes, other information proffered by victims, parents, community members, etc. tended to lessen the credibility of the disconfirming information offered by the perpetrators.

From working with the patterns, the existence of four distinct stages in the decision-making process emerged. By breaking the process into stages, the deliberations involved in each stage became the focal point and the possible decisions that would come from those stages were fairly well defined (See Figure 3 at end of this chapter). These four

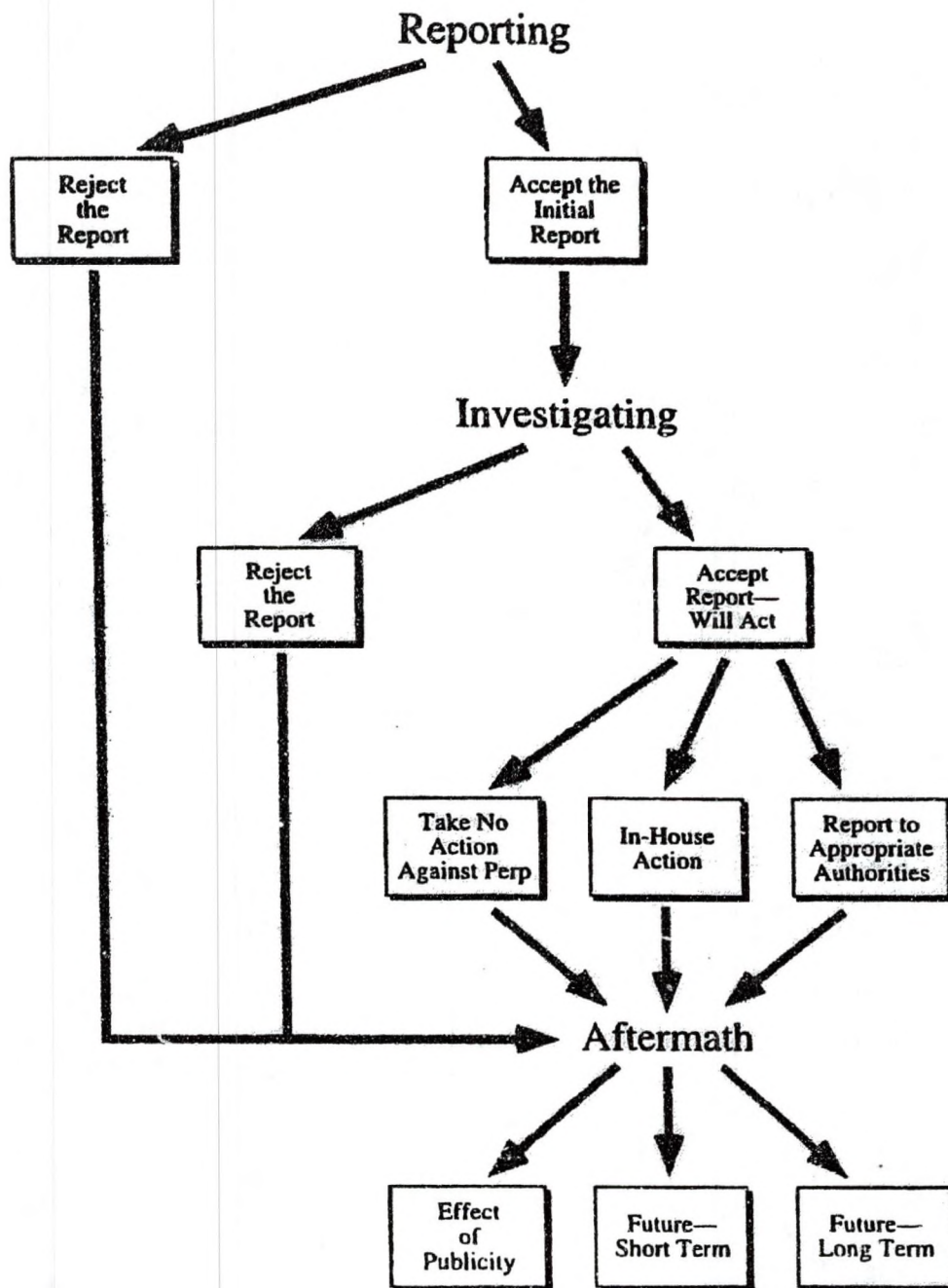


stages then became my categories and the assertions and subassertions at each stage of the decision-making process could fit coherently into one of those stages. The stages could then be subdivided into assertions which were developed from and supported by the data (see Figure 4 at end of this chapter).

### Researcher Bias

Because of the nature of the study and the potential harm the decision-making process of a school system may bring to students who have been sexually abused or may be abused at a future time because of lack of action by school systems, I do, in fact, have a desire for school systems to examine their practices in dealing with sexual abuses reported to them. Also, my time spent in the employment of the North Dakota Education Standards and Practices Board and my involvement in investigating cases of abuse of students by school personnel have strengthened my determination to pursue this study which will hopefully bring a greater awareness of the potential for abuse to a broader audience. Also, by allowing the people who have had to deal with these situations a voice through the interview process of this study, I hope that fewer people will be denied access to a fair hearing of their cases by school systems. In the next chapter, I will allow the people who have been in the process speak for themselves.

These are the potential stages of acceptance and rejection in the decision-making process.



**Figure 3:** The stages of decision-making during a reporting of victimization.



These are the stages of decision-making, expressed through the assertions and subassertions derived from the qualitative research process: codes and patterns

#### Stage One Decision - Victimization

Assertion #1: The decision-making process may begin prior to official notification to the system of possible sexual abuse of a student.

Subassertion #1a: In most cases school authorities may have some level of knowledge of victimization before the reporting occurs.

Subassertion #1b: Characteristics of the victim that lead to the victimization may tend to make reporting by a victim uncommon.

Subassertion #1c: In most cases, reporting may come from someone close to the victim who has reason for concern.

#### Stage Two Decision - Accept or Reject

Assertion #2: Characteristics of the victim, the perpetrator, community and school are major considerations in the acceptance or rejection of a report of sexual abuse by a student.

Subassertion #2a: School officials willingness to accept a report of sexual abuse of a student may be influenced by the status of the accused adult.

Subassertion #2b: The credibility of the victim may enter into the believability of the reporting.

Subassertion #2c: Decision-makers may take into account the credibility of the accused before accepting or rejecting the report.

Subassertion #2d: The characteristics of the community may influence the decision-making process.

#### Stage Three Decision - Type of Action

Assertion #3: Decisions to act can be influenced by community mores and beliefs and can determine the type of action taken.

Subassertion #3a: The level of blame placed on the victim may influence the decision-making process.

Subassertion #3b: Extent of the knowledge of the situation may influence the decision-making process.

Subassertion #3c: The level of outrage based on the type of abuse may influence the decision-making process.

#### Stage Four Decision - The Aftermath

Assertion #4: The type of decision made can have an influence on the victim, school system and community for an extended period of time.

Subassertion #4a: The extent of the knowledge of the situation can determine what punitive steps may be taken.

Subassertion #4b: The immediate future of the victim and perpetrator can be influenced by the decision made by school officials.

Subassertion #4c: The life of the victim can be influenced for the long term by the decision made by school officials.

Figure 4: Themes, assertions, and subassertions based on the codes and patterns.

## CHAPTER IV

### PRESENTATION OF FINDINGS

In this chapter, the findings of the study are presented and described. The main source for these findings is interviews with people who have been involved in the decision-making process of school systems as they have determined what to do with a reporting of sexual abuse of students by school personnel. Information shared by victims, their parents and friends, perpetrators, school personnel, community members at-large, and law enforcement account for the assertions that are recorded and discussed here. Background information needed to provide a context for the findings, for the most part, stem from descriptions supplied by participants although some observations, derived from notes written during and after the interviews, and other documents are also included.

The chapter is divided into the four themes of the four stages of decision-making that evolved from the interview data. These stages reflect the choices necessary for school systems to make as they contemplate a reporting of sexual abuse by school personnel and the factors that may affect the reasons for decisions made at each stage. Stage One begins with the notification of victimization and the assertion that "The decision-making process may begin prior to official notification to the system of the possible sexual abuse of a student"; Stage Two begins as the school decides to accept or reject the report of victimization with the assertion that "Characteristics of the perpetrator, community, and school are major considerations in the acceptance or rejection of a report of sexual abuse



of a student"; Stage Three covers the types of actions school may take with the assertion, "Decisions to act can be influenced by community attitudes and can determine the type of action taken"; and Stage Four contains the potential ramifications of the school systems decision with the assertion, "The type of decision made can have an influence on the victim, the school system, and the community for an extended period of time."

Accompanying these four themes and assertions, which will be discussed in detail, are subassertions that particularly emphasize the major factors that may have influenced the decision-making process. Data from interviews are used to support and clarify each assertion and subassertion. In all cases, the names and any descriptions of the participants have been changed, as well as geographic and/or other characteristics that might be necessary to protect the identity of those interviewed. In some cases, I will make no attempt to identify interviewees even with fictitious pseudonyms because of the sensitivity of the topic. With these exceptions, any quotations used will be verbatim.

### Stage One Decision - Victimization

The impetus for this study was to find out more about the students that had been victimized in North Dakota's schools, how those victimizations came to light, what school systems decided to do upon notification of the victimization and during ensuing decisions, and how those decisions affected the schools, school personnel and the victims. To address these issues, the participants in cases of victimization were interviewed. In each of the cases, as many key people involved in the issue as possible were interviewed to give well-rounded documentation of the decisions that were made from the initial reporting of the victimization to the outcome of the decision-making. Those decisions varied from a

decision to deny a victimization had occurred, to an acknowledgment that victimization had occurred but no other steps were taken, to full acknowledgment of a victimization where punitive steps were taken.

The decision-making processes all began with the reporting of a victimization of a student by someone in the school system. Although all of the cases followed in this study were students victimized by teachers, other school personnel such as administration and support staff might also be named in some cases as victimizers. Many factors entered into the acceptance or rejection of the initial report of a possible victimization and these factors were the focus of the interview questions for all of the people who were interviewed. All of the victims were positive about being interviewed about their cases and reported that they appreciated being able to discuss what happened to them in a non-judgmental venue. Two of the three perpetrators expressed positive experiences from having agreed to the interviews while the third gave only factual information and did not express an opinion. Other school personnel's reactions to the process varied from remorse to continued disbelief while parents tended to relive their frustration and feelings of futility. Other community members, less involved in the process and with less at stake in the decision-making process, served as more impartial observers who put times, dates, places, and events into a framework to follow. All of the viewpoints served to check and cross-check remembrances of occurrences that led up to the reporting and details of the decision-making process.

While the ages of the victims now range from the late teens to the early 50's, the youngest victim was eleven when the victimization began and the oldest was fifteen. The



time of victimization generally lasted from a year to a year and one-half. Four of the victims were female and one was male. Four of the perpetrators were male and one was female. Two of the cases were carried forward to the extent of the perpetrators receiving criminal convictions for the victimization, two cases were ended with no action being taken against the perpetrators and one perpetrator was removed from the school system without penalty. All of the cases were adequately documented by victims, perpetrators, school personnel, parents, law enforcement and/or community members to determine that victimization did take place.

Assertion #1: The decision-making process may begin prior to official notification to the system of possible sexual abuse of a student.

In each of the cases, enough information was available to determine that someone, or several people, had knowledge of the victimization before the actual victimization was reported. Whether mere whispers in hallways or topics of conversations throughout the communities, in every case the possibility of an irregular relationship between a student and a teacher was at least suspected. As the characteristics of the student and the teacher involved were weighed, the outcome of the reporting of the victimization began. The observers, consciously or unconsciously, began to decide what the outcome of the reporting would be. In some cases, traits that "allowed" the victimization to occur would also weigh against the credibility of the victim or in favor of the perpetrator. One interviewee likened the process to a lottery, "As the balls spin 'round and 'round in that drum, fate is deciding which balls are going to pop out. When a number's read, somebody's happier but somebody else's sadder. But it's the final combination of numbers

that determines a big winner or not. I think that's what we've got going on here. But the difference is nobody ever really wins."

The extent of the knowledge of the inappropriateness of the relationship between a student and a teacher may have varied in each circumstance, but in every instance a level of knowledge did exist. Fellow students were frequently the initial observers and reporters of behavior, often out of concern for their classmate, although few confronted or discussed the issue with that classmate. School personnel frequently heard the voiced concerns sooner than the victim. In every case, students discussed specific school personnel they had talked to about their friends, or school personnel accepted the responsibility of having been told about possible inappropriate behavior prior to the official reporting of the victimization.

Three issues that were present in all of the cases at the pre-reporting stage emerged during the interviews with no one person consciously setting out to enumerate commonalities. In each case participants discussed the level of knowledge of the relationship before the formal reporting, gave insight into possible reasons that the victims were targeted, and the means by which the relationship surfaced.

Subassertion #1a: In most cases school authorities may have some level of knowledge of victimization before the reporting occurs.

In every case, prior knowledge of the inappropriate relationship between the student and the teacher was referred to by fellow students, teachers, and perpetrators. The extent of the sharing of the information ranged from one of the victims confiding in her best friend, who then talked to another friend and a teacher, to, in one instance, the entire



town speculating about how far the relationship had gone and why the perpetrator's wife didn't know about it. In two cases, community people had heard rumors of previous inappropriate relationships that the teacher had participated in while teaching in another community. A student who had been approached by a teacher who "tried to get me to talk to [her] for him...to try to get her to be nice to him," told her parents about the conversation, and they in turn called the principal who "blew them off."

Yet, despite the fact that the interviewees were unaware of others being interviewed about the same case and some of the people interviewed about the same case were hundreds of miles apart and had not seen one another for years, the recollections of the sources of information, the stories about the relationship, the tidbits of gossip of past relationships, etc., were all remarkably similar. In the oldest case over thirty years had passed, but the remembrances were still markedly similar concerning the sources of information, the meetings that had occurred, and what was said and done at those meetings; the greatest difference now was that the school personnel acknowledged the situation and expressed regret that no action had been taken. In another case one of the interviewees commented on information that was revealed at a trial that supposedly was "new information" and said, "Who's kidding who? We all knew *THAT!*"

Although rumors often were a mix of fact and fiction, the information overheard or shared by students could have played a key role in alerting school personnel to an inappropriate relationship within a school system. Only one administrator, however, acknowledged the importance of rumors in finding out about victimizations while other students talked about observing others "titter[ing] about it in the hallway," and "We heard

rumors that he had sex with a girl from a different school,” with “all of the kids in school [knowing] that” and “stay[ing] away from him” because of the knowledge.

The school superintendent who acknowledged the need to address rumors has encountered inappropriate relationships five times during his administrative career. He has learned the importance of investigating rumors that he hears whether they come through his “counselor or principal or the little girls’ or boys’ concerned friends.” He has spent over twenty years regretting not taking action in the first two cases he had, although to his credit, he has since learned the whereabouts of the two and has contacted potential employers if positions they have applied for would place them in contact with students. He believed in following that “gut hunch”:

The rumors were out there. In all of these years of experience — and I hate to do it each time — but I’ve learned that if there’s a rumor going around — even if I don’t like to do it — that if there’s a rumor you had better be digging and you had better be digging quick because there’s some fact behind it. If there’s some rumor out there — it might not be sexual misconduct, it could be inappropriate language — you had better get out there and do something about it. If teachers are abusing Title IX or harassing, you had better get on it right now — do something about it. I have always thought — and am willing to bet — that over 99% of accusations of sexual contact are probably true. There could be 1% that accuse and say something that isn’t true. For one thing it’s such an embarrassing thing to talk about that if they’re willing to talk about it, there’s bound to be something there.

As I continued this conversation about rumors and knowledge with the former victimized students, now adults, when I asked if they thought that only they and the perpetrator knew about the relationship, the responses were: “There’s absolutely no way that the teachers and the administrators couldn’t have known what was going on. I think they just didn’t care. They were there to do their jobs and weren’t looking out for the kids’ welfare.” “I know one of the men who was on the board, he was always suspicious



of [my abuser], but they never looked into anything.” “The only way to describe how the superintendent acted was that he ‘hid his face.’” “...but one of our teachers, I think he thought something was going on. He was pretty much against him and he was really happy when he was gone.”

I followed up with what I considered a logical question. I asked why the victims had not simply gone to someone in the school they trusted to tell them about the perpetrator and what was happening. Four of the five victims expressed their lack of confidence in anyone on the staff, or anyone else in a position of authority in their community for that matter, keeping their disclosure confidential. Students, their friends, and their parents all gave examples of information they gave to school administrators, staff, law enforcement officials, ministers and social services representatives, they assumed in confidence. Later they or family members heard bits of the information retold in cafe, at church, at school functions, and in the teachers’ lounge. Virginia’s mother recounted a conversation, initiated by her daughter’s abuser, when he informed her that her daughter had talked to someone at school; he then threatened the family with a law suit if her daughter continued to claim he had victimized her. He held a similar conversation with another victim’s parent. Valerie’s parent had been physically accosted by the perpetrator at a school function after the perpetrator learned the parent had gone to a school board member.

School counselors were perceived as key people by many people involved in the cases as they frequently were the first ones who had some form of knowledge of the situation or sometimes were the ones who notified the school authorities of the report of

victimization. Often the victim may “feel out” a counselor to see if he or she is someone to be trusted while the counselor may be viewed as a threat to his or her safety by the perpetrator. One perpetrator stated about a counselor in his school, “That bitch had her nose in everything. Every time I turned around she would be watching what we were doing. I suppose [the victim] confided in her about what we were doing. Pretty soon I saw other kids looking at me too and I knew that [the counselor] was busy telling people. It didn’t really come as a surprise when [the principal] said to me one day, ‘If you’re doing something you shouldn’t be, knock it off!’ He never did ask what I WAS doing though.” In that case the counselor did assist the school officials in obtaining help for the victim although no action was taken against the perpetrator.

In talking about another case a counselor lamented, “The biggest frustration is when some of the people that you think they know better — they have to know better for the profession they’re in — don’t believe when someone comes and does some reporting. When I’m working to cover all bases in the reporting and someone will come and say, ‘Do you really believe that happened?’ And I say, ‘Yeah, I do believe.’ They’ll say, ‘Ah, no, I think they just want to get back at somebody.’ It’s nice and easy just to sit back and not do anything and say everything is hunky-dory.”

Subassertion #1b: Characteristics of the victim that “lead to” the victimization may tend to make reporting by a victim uncommon.

The characteristics of the victims that led the perpetrators to search them out for victimization also almost precluded the victims from becoming the whistle-blowers of the victimization. During the interviews, I came to see that the personality traits of the victims



were strikingly similar even though their physical appearances were extremely diverse, ranging from short to tall, painfully thin to trim to heavy, dark-haired to light blond, and brown eyes to green eyes. Even allowing for age differences, gender differences, and emotional and psychological maturation differences, the similarity in personality characteristics were remarkable. Interestingly, there were similarities in personalities among the perpetrators as well, although not quite as obvious, and would bear further extensive, intensive scrutiny.

The personality traits were voiced as an integral part of the victims as they talked about their families, their friends, their experiences before and after the victimization and their perceptions of their world. None of them directly stated specific reasons why they thought they were chosen as the victims of perpetrators although some would speculate about possibilities. Other people discussing the victims much more directly identified specific traits and some volunteered their perceptions of the differences between the victims earlier and the victims now, if they had continued their relationships.

Belying a common theme that was offered by community and school members as explanations for the victimization of females that will be discussed as part of Subassertion 3a., the descriptive words mentioned by all of the interviewees for identifying the traits of all five victims were "shy," "quiet," "sweet," "good," "serious," "gentle," "naive," "vulnerable," etc. When discussing the male victim, comparable words were used, such as "sweet" for the female and "very good-natured" for the male, but with those exceptions, the descriptions were very similar. All characterized themselves, and were described by others, as good to exceptional students. In one case, the victim was described as a good

student in spite of the fact that “the rest of her family is slow and don’t have a very good reputation.” In fact, three of the victims were contrasted by other interviewees with students who had been in the same grade as the victims to emphasize the difference in what would have happened if other students had been selected for victimization rather than the actual victims. One principal illustrated the difference by saying, “[The other students] were pretty worldly, so they would have probably said something. There would have been a big noise and we would have heard it.” In musing on what had caused the bonding that a teacher felt with a student to “cross the line,” one of the perpetrators was very open about his reasons for his selection of that particular victim, and her parents:

Teacher: She was so sweet and shy. I can’t remember making a conscious decision that I wanted to have her for a girlfriend and not just a friend. She was so trusting. I spent a lot of time talking to her whenever I saw her in the hall, downtown, wherever. I gave her a couple of silly little presents.

Interviewer: Weren’t you afraid that she might tell her parents or somebody about you?

Teacher: Naw, she knew this was our secret right from the git-go. She was too young to be very interested in boys, and most certainly not men — I’m not sure she knew what kids really did on dates. For her this was just a close friendship.

Interviewer: What would you have done if her parents had found out?

Teacher: I’m sure her dad wouldn’t have believed there was anything going on because we spent quite a bit of time hunting together and he knew what a good guy I was [Note: Kind of a snorty laugh.] Her mom was so wrapped up in herself and how sick she was all the time and didn’t pay much attention to [the girl]. If it hadn’t been for that nosey friend of hers, I wouldn’t of had to move on.

Interviewer: Do you mean physically ‘move on?’

Teacher: Naw, to another girl I liked.

During the interviews, Vonda, the victim described by this perpetrator, her mother, and one of her classmates, all three offered descriptions of Vonda as a young girl in terms



of what they thought would have made her attractive to the perpetrator. The victim and her friend also identified characteristics of the perpetrator that probably pulled the victim into the trap laid by the perpetrator. Looking back, Vonda described herself in terms of vulnerability at a point in her life where she was first encountering what she perceived as failure in school and her probably unrecognized need for a close father figure that she thought was probably the attraction for the perpetrator:

Vonda: I was very shy. I think my friends got me through [a difficult class]. I had always been a straight A student. Then I began to feel like a failure. I couldn't get it. Then I had [teacher] for [class] and he would call on me a lot and he would praise me a lot. I remember being in the girls' bathroom one time and I was in a stall and these other girls came in from my class that didn't know about me being in there and they said something about me being his pet, which stunned me. So they definitely noticed the attention. And I...and as I look back I'm pretty sure he would have seen me as a vulnerable person.

Interviewer: Why would you think that?

Vonda: Because I was a shy person, not very outgoing. I think he...you know, I was a good [church] girl. I never talked back to my parents and never was a school problem. And I think I liked the extra attention that he gave me. I think it was probably my response to his attention and kindness that brought about some things.

Interviewer: Why did you like the extra attention?

Vonda: Well, I...it's so much easier to look back at it now as an adult. But my dad wasn't a real presence in our lives and I think I craved male attention. But you know, I never knew anything different because the other kids grew up the same way.

Her mother's description stressed the vulnerability the perpetrator must have seen in Vonda, which probably led him to pursue her, but her description also illustrated the self-centeredness of the mother noted by the perpetrator and Vonda's friend as the mother seemed more concerned about what other people had thought about Vonda than how Vonda had fared after the victimization:

Mother: She was very serious, very quiet, a lot like her dad, and I think that's why he picked on her. But she must have had some horrifying experiences and she said at one time that he said everybody could leave except for her and he was stalking her there in the room, but we never heard that before. I think there were a lot of things we never knew.

Interviewer: From her description of herself, she was very quiet, very shy.

Mother: Very shy. Very much so. I don't know what was going through her mind at the time. She was quite withdrawn, but when she went to the other school she opened up quite a bit more. She was happier, very happy, to go over there. We missed her and all her friends. I've often wondered what her friends thought about her. Did they like her less because of the situation? I often wanted to ask those kids she was close to.

Her friend described the vulnerability of Vonda, and pinpointed the probable cause why someone the friend had never considered attractive would have been of interest to Vonda. She recognized the vulnerability stemming from Vonda's relationship with her mother and how the perpetrator had taken advantage of that knowledge as well:

Friend: She was afraid of him. He was a suave character and he was around her constantly.

Interviewer: Do you think she was afraid of him from the time that he was there?

Friend: No, I think she became more afraid of him as time went on.

Interviewer: How would you describe her [in junior high]?

Friend: She was absolutely wonderful but she wasn't a very strong person. She was very gentle, shy, and very naive. Her mother was a very emotional and controlling person and I think really very unstable. I think this affected her a lot. On the other hand, her father was very quiet and one of the sweetest, kindest men I have ever met. She adored him and she most certainly wouldn't have wanted him to know that anything like that was going on.

The victim's traits were identified very similarly by all three interviewees with the image emerging of a shy, quiet, intelligent girl who was flattered by the attention given to her by an adult male. The characterization of a surrogate father figure was evident in the victim's and her friend's descriptions of the victim's relationship with the perpetrator. As



her friend indicated, however over a period of time that initial appreciation of the extra attention turned to fear as the overtures made by the perpetrator strayed from paternal patterns to courtship patterns. Until then, the intentions of the perpetrator were masked to the victim. Shortly thereafter, the victim described herself as "relieved" when her mother questioned her about a note she had found from the perpetrator, and the parents went to school officials. Her friend's stark description of the victim's mother as very "emotional and controlling" was echoed by the victim's description of herself as being a "good" girl who attempted to appease her parents, particularly her mother, and the mother's preoccupation with "what [her] friends thought about her" in contrast to how had the situation affected the victim.

When this perpetrator was asked for descriptions of his victims, he described them almost identically. After he was asked to resign in this particular case he went on to offend several more times in two additional states, each time leaving a district with his references and licensure intact, before he was finally reported to state authorities and his license was revoked. During the course of the interviews, I asked him to describe his other victims and noted the striking similarities in the descriptions. When I asked him if he had noticed the similarities, he responded, "Oh, they weren't the same age," and would not respond further to the possibility that, barring age, they all had similar characteristics.

Perpetrators did not describe their victims as fearful in the "grooming stage," but the victims said they were afraid as they described the escalation of demands, both emotional and physical, of the perpetrators. None of the victims recalled any actual voiced or physical threats, but each described the increasing feelings of fear and apprehension they

had as the victimization progressed. By the time fondling, oral stimulation, and/or intercourse had occurred, the victim had become extremely fearful. Other interviewees also talked about either sensing a victim's fear or remembered at least one conversation with a victim in which the victim stated that they were afraid of the perpetrator. While other interviewees described each of the perpetrators as slight, almost nondescript people, the victims described their molesters as much larger, more forceful, and "menacing" or "scarey." Virginia described the dichotomous emotions engendered in many of the victims:

And I was always nice to him so I didn't get on his bad side or anything. Because he was nice, but he did have his dirty side to him. He was always nice to me and later on it got to the point I was afraid of him — like after he touched me — so I didn't want to be near him anymore. And later on, after I had told on him, I was really quiet and didn't say anything because I didn't want him to know I had told on him so I tried acting normal towards him but I was really scared. He was being really mean to us and I didn't like being around him.

She was referring to the time period after the school started to investigate what had happened as the time she was most scared to encounter the teacher. The perpetrator was permitted to continue his duties while the school officials decided whether or not to take any action against the teacher. The board did not act and the teacher remained in the school system for two more years. However, in his new teaching position in a school district in another state, less than a year after he went there, a female student's parents reported to the superintendent that his new teacher was molesting their daughter. The superintendent immediately reported the teacher to state authorities with the result that the teacher lost his licensure and served time in prison. Several past victims testified at the trial while others were prevented from testifying by a statute of limitations.

Sometimes the first victimization is the beginning of further victimization. Vonda



reported further victimization in the school she attended elsewhere in an attempt to “stop the name-calling and the accusations that I had faked the situation.” A teacher who befriended her attempted to “use the friendship to get at me.” After “failing to figure out why I attract these homos,” she made an attempt at suicide and shortly thereafter the family moved out-of-state. In another interview, a counselor who was very familiar with re-victimization expressed his frustration with the system’s failure to recognize the potential for further victimization:

And you’re aware that people who have dealt with sexual abuse have such difficulty as far as any kind of self-identity with anything positive and they are absolutely needy of acclamation from any aspect and it’s real hard to identify, ‘Boy, wait a minute, this isn’t appropriate, this has to stop.’ And you think that people in the know should react better than believing that once it’s happened it shouldn’t happen again. [Note: Shook finger in the air.] ‘So don’t ever come [back here] with any other type of situation.’

The characteristics that the perpetrator first recognized during the initial victimization may continue to attract further victimization in situations such as adult relationships with physically or sexually abusive partners.

As each of the victims talked about his or her perpetrator, speculated about possible reasons for the victimization and shared painful memories of the time of victimization, all shared a common concern. In their tone of voice, in their hesitant speech patterns, and in their need to share potential reasons, bewilderment was obvious. Even after as many as thirty years, none of the victims has decided that he or she knows “why?” Why were *they* chosen as the victims as opposed to other students? What did *they* do to attract the attentions of the perpetrators? Why didn’t *somebody* help them? Even after years of counseling, in some cases, those questions remain.

Subassertion #1c: In most cases, reporting may come from someone close to the victim who has reason for concern.

Very rarely would someone who was the victim of a person in a position of authority be the initiator for the reporting of the victimization. In some instances astute school personnel will begin questioning the behaviors of another teacher, administrator or support person after they have heard the whispers and/or observe the interaction between the adult and the student. Parents may find gifts or written evidence of inappropriate intentions and either elicit the information about the relationship from their child and/or contact school officials about their concerns. Concerned friends may seek out an adult they trust in the school system and confide in them or they may find a way to inform the parents of information that has been entrusted to them by the victims.

If the victims are reluctant, unwilling, or unable to report the perpetrators, how does the reporting generally occur? Usually people close to the victims are the reporters. Friends of the victims who have observed the behavior, and often have been confidants, may either encourage their friends to tell someone about what has happened, or the friends themselves may confide in trusted adults. The conversations of concern may be overheard in the halls of schools by adults who care about students and the “rumors” are investigated. In Vickie’s case, she confided in her best friend that she was afraid of their teacher because “he touched me and made me feel dirty.” Her friend went home and told her parents what Vickie had confided to her. The next day the parents were waiting after school to talk to Vickie about what had happened. After Vickie described the teacher fondling and brushing up against her at every opportunity, rubbing his penis against her



arm as he stood by her desk while talking to her and recently forcing her to perform oral sex, the friend's parents immediately called Vickie's mother to come in to the school. After hearing what had happened, Vickie's mother immediately went to the local law enforcement office and reported the abuse. After her mother reported the abuse, an additional five students were found who were willing to testify to being victims of that same teacher. The cases that were eventually uncovered involving the teacher spanned almost twenty years and three additional school districts. None of the victims testified, however, as the teacher agreed to a plea bargain of six years of supervised probation.

Without the support and encouragement of her friend and the intervention of her parents, Vickie most likely would not have reported her victimization. Because of her role in the reporting, the friend was subjected to offensive comments by teachers, and harassment by other students, and finally dropped out of school when she was old enough. The victim's family remained in town and her siblings continued to go to school there while Vickie attended school in another community, but soon the family decided to attend church services in a neighboring town and no longer attended any school functions because of the continued coldness of the people of the community.

Sometimes the parents of the victims were the reporters. Often times the parents recalled noticing changes in the behavior of their children which they could not explain. These parents became more vigilant and began seeking reasons for the changes. As one parent admitted, "I guess you could call it snooping. But I was worried about [her daughter]." The increased vigilance was justified when:

Mother: She got a gift from [the teacher] and I saw it up in her room. I asked

her where she got it from and she said where she got it from and I asked her what was going on there. About the same time, my brother-in-law who is a teacher, sort of mentioned that he thought something was going on. Then I guess I started questioning her about it. And then her dad went to the school board.

Father: Well, I didn't go to the school board right away. I took some of her papers — he had corrected her papers and put some notes down on her paper suggesting that he would give her a higher grade if she would do something for him — to the superintendent and I also took the papers to the police. He was threatening to shoot himself, to kill himself, if she wouldn't be with him. The officer in the office said, well, we can't do anything unless he does something. That's too late then.

Mother: Back in those days nobody listened to us.

The parents went to the school board, and the father visited each of the school board members individually, but no action was taken against the teacher.

Parents sometimes have success with reporting their concerns about their children, and sometimes they do not. An administrator told of a time in his career when he had to decide what to do about the reporting of a parent, "This mother came in who I really respected [and] she said, 'I found my daughter's diary. I went back and found that [the teacher] has been messing with my daughter for almost a year and a half now.' I immediately asked her to let me copy the diary and told her I would get right on it. I immediately called social services and hung up with them and called the sheriff's office and hung up with them and called our attorney and wrote the letter suspending him from service with pay — all by the time social services got her and I had already given him the letter and he was walking out the door." After overcoming the initial reluctance of the states' attorney to prosecute, the teacher was tried, convicted, and placed on probation. "The good thing was we had his license and he wasn't going to hurt anymore kids," was the administrator's positive response in spite of his frustration with the court system that



would not incarcerate the teacher as he had hoped.

However, another parent's concerns, and a board member's were not met with a positive response:

Board member: One night when I came home there was a message on my answering machine to call [a parent]. I returned her call and the first thing she said to me was, 'How long have all of you been covering up for [a teacher]?' I told her I didn't know what she was talking about and she came unglued. What it boiled down to was she had found out that [the teacher] was messing around with her daughter. After I got her calmed down, I called the board chair and told him about the phone call. Do you know what he said? Can you guess what he said? He told me to keep my trap shut!! When I asked, 'Why?' he said, 'He's a good coach.' Can you believe that? A good coach!! I handed in my resignation the next week.

Interviewer: Do you know if you're the only board member that [the parent] contacted?

Board member: I don't think so, but I can't say for sure. I knew from what the chair said that he knew what was going on. I'm not sure who told him though.

Interviewer: Were you surprised when the parent called you?

Board member: Well, yes and no. I was surprised that she called me to try to get some action because I guess I would have expected to hear about [the teacher] at a board meeting. About what she had to say? Not really, because there was some gossip here and there.

Although nothing was done in that case, two years later the teacher was accused by a former student of sexual abuse. The victim in the case was a student from a prior school district. This case never came to trial and the teacher moved out of state.

Sometimes parents approached law enforcement either out of frustration after receiving no assistance with school officials, or in one case, because the parent was an officer. During an interview one of the perpetrators responded to my question about how the school found out about the abuse by describing his thoughts during the time of

discovery:

Perpetrator: I was in fourth period when the intercom came on and [the superintendent] told me I needed to come to the office right away. He was sending somebody down to cover my class. I thought maybe something had happened to my mom or dad or something like that. I opened the door of the office and saw a guy in uniform sitting in the chair and my heart sank to my knees. Right away I knew somebody had told. Then I looked at [the superintendent's] face. I remember he almost looked green. He handed me a letter. I looked down at it, saw what the first couple of lines said, and put it down on the desk. That was the beginning of the end.

Interviewer: What did the letter say?

Perpetrator: What the letter said wasn't really important. What was important was I recognized my handwriting and the name after "Dear." I can't believe I was stupid enough to write that now. I can't even remember now why I did end up writing to [the student]. I tried to be so careful about things like that.

Interviewer: Are you telling me that there was more than one student that received your attention?

Perpetrator: You know damn well there was.

The perpetrator expressed only regret that he had been apprehended and he could no longer teach as a means of earning a living.

The response to the reporting of victimization may be a critical time for all people who have a stake in the outcome of the reporting. The acceptance or rejection of a report may alter the lives of many people. When the report is given to school officials, many factors can enter into the decision as to what to do with the report.

#### Stage Two Decision - Accept or Reject

Once the victimization of a student by someone within the school has been reported, whoever has received the report has to decide what to do with the information. State law in North Dakota, as previously discussed, requires that a report of suspected child abuse must be reported to social services. Any cases involving licensed personnel,



teachers or administrators, must also be reported to the Education Standards and Practices Board or the Administrative Practices Board at the state level when the crime involves a student. Non-reporting is considered a crime by the State. However, in spite of North Dakota laws, many cases may be halted at the initial reporting stage. Counselors or teachers may receive a report from a student and dismiss the accusation. Administrators may choose to ignore the report or accuse the student of false reporting. Perhaps the school board might direct the administrators to ignore the report, or simply dismiss the teacher without any further action. If the school does report the case to state agencies as required, agency investigators may determine there is no need for action, or possibly not report back to the school on their findings. Throughout the law enforcement investigation and the process for removing licensure from a teacher or administrator, there is always the potential for acceptance or rejection of the report initiated on behalf of the student. In the five cases of victimization covered in this discussion,, all of these scenarios were present.

In the five cases for this study the steps taken after the reporting of a victimization were examined. In two of the cases, interviewees gave insight into how decisions were reached from the first report on behalf of the victim, through the local schools' actions, during the investigation and conviction of the perpetrators by law enforcement and the eventual loss of licensure for the teachers. In the other three cases information from the interviewees included what had happened only what had happened at the local school level. These three cases involved only the victims and their families, school personnel and community members.

As the interviewees presented different viewpoints for decisions that were made,

probable reasons for the decisions began to emerge. With the scripts of the interviews laid one against the other during the examination of data, the instinctive knowledge of all of the participants as to the reasons for actions was starkly evident. Whether the victim, the perpetrator, school officials, etc. were discussing the junctures of acceptance or rejection, there was little or no difference in the speculation of those involved as to why a report had gone forward or why it had been rejected. The persons involved knew their schools, knew their communities, and knew the tolerance or intolerance levels of those communities.

Through the interviews the acknowledgment that the level of acceptance or rejection of the reporting was almost pre-determined by the community in which the victimization took place was at the forefront. Each knew that the veracity of the victim would be measured by what the community knew about him or her and/or their family. All discussed how the reputation of the adult involved in the case could sway the belief in the reporting. All knew how the characteristics of the community and the school environment could influence how far the complaint would be believed and taken. From these discussions arose the second assertion of acceptance or rejection factors and five subassertions.

Assertion #2: Characteristics of the victim, the perpetrator, community and school are major considerations in actions taken by school officials as they accept or reject a report of sexual abuse of a student.

The school community's decision to accept or reject a report of victimization may have begun long before the actions that precipitated the report occurred. In fact, the willingness to accept or the need to reject the report may be traced through generations of members of the particular community where the reporting takes place. Further, whether



consciously or unconsciously, the greater community, as well as the school community, will weigh the claims of the victim, the denials of the perpetrator and the actions of others who are involved in the reporting process. Particularly in smaller communities, weight may be given to the longevity of a victim's family in the community, the family's social standing, the length of service of the perpetrator in the system, his or her status in the community, or the level of tolerance of harassment and disrespect within the school community. All of these may be factors which indicate the level the abuse that would have to be present to rise to the level the school community considers harmful.

As discussed in the first assertion, the students who are most likely to be selected for victimization will not be the most popular nor the very assertive or aggressive individuals who would speak out about misbehavior. In fact the students may place total trust in authority and often will assume that if something inappropriate has occurred, they were the cause. Furthermore, even though the victims are not generally voicing their opinion, they are astute observers of their surroundings and will even excel at not endangering the status quo. They attend the churches in the community, attend community functions, patronize businesses, visit homes of their friends and classmates, and absorb extended family culture during holiday visits. Often their observations are not consciously examined, but they can reflect their summations and findings when asked or necessary.

In the same manner, other school and community members observe, internalize, and interact using the patterns they construct from the information they learn while interacting within their community. People who enter the community as outsiders translate this information into their keys into the society of the community, and thus, learn to

identify acceptable behaviors in the social structure. In the following subassertions, the characteristics that may play major roles in the decisions to accept or reject a claim of sexual abuse will be examined to determine their influences.

Subassertion #2a: School officials willingness to accept a report of sexual abuse of a student may be influenced by the status of the accused adult.

Sometimes hesitantly, sometimes boldly, each of the victims explained why they had not assumed that school officials would believe a report from them of sexual abuse by an adult in their school systems. Each of them either had first-hand knowledge of, or had observed, the lack of interest and credibility the adults in their systems had given claims by students of abuse of power within their systems. When I asked Virginia why she had not gone to an adult in her school to talk about her concerns about her relationship with her teacher, she replied:

Virginia: I thought about it. There was one teacher who might have believed me, but I'm not sure. I think he might have sort of believed me if I had told him about some of the stuff.

Interviewer: Then what made you decide not to talk to him?

Virginia: I overheard him talking to one of the other teachers in the hall about [a friend] of mine who had gone to see him for help on a [math] problem. I knew that she had had to screw up her courage to ask for help, and here this teacher is standing in the hall laughing about how he had to help her because she wasn't trying. I know she had told him she had worked on that problem for over an hour and he was telling the other teacher he didn't believe her. If he wouldn't believe [the friend] about something like that, how would he even think about believing me? And the other part of it was - and this is the biggest part - was that the teacher he was talking to was the teacher I wanted to tell on! I don't even want to think about what he would have said to him if I had talked to him.

Interviewer: Are you saying that you think if the other teacher would have told him that you were lying he would have believed him instead of you?

Virginia: There's no doubt in my mind.

Interviewer: What about if it had been another teacher that you were going to



talk to him about. How much difference do you think that would have made?

Virginia: Mmm. Let me think about that. Well, most of the time if something happened in class, I know that the teacher was always right...if you know what I mean. If something came out about what happened in class — like a visit to the office — the kid usually ended up with detention or at least a scolding no matter what. I guess I think pretty much the same thing would have happened.

The belief that the denials of the accused adult would be accepted echoed throughout the interviews with the victims. One bluntly said, “When they didn’t even believe you about small stuff that happened during classes, why do you think they would believe anything?” Another stated, “Looking back - and I keep forgetting I have to remember this with my kids - I know that most of the teachers just told us things - do this or do that or this is what really happened - they didn’t ask us about things. I’m not sure if they thought we were capable of telling the truth or maybe they just thought they were right.” None of the victims doubted that the denial of an adult of an act of abuse would be believed over the claims of a student.

When an administrator addressed this issue, he said, “I’ve been around long enough now to pay attention to what kids have to say. Earlier - when I was teaching - I probably would have asked the adult - the other teacher - about what had really happened and probably would have taken his or her word for it to begin with at least.” When I asked why his view had changed, he said, “I’ve had too many things students have told me turn out to be true to discount them. But that wisdom came with old age and experience.” The administrator also admitted that this “wisdom” had gained precedence only “after I had some guys I thought were straight-up turn out to be bald-faced liars.” In not-so-colorful

language, this insight had come to the administrator from situations involving adults in sexual relationships with students in several schools where he had been, and in each case, the adult had lied to him. He had learned not to accept the initial denials of a claim at face value and to investigate the reports of sexual abuse.

Students' ability to understand the adult's credibility would be greater than theirs was shared by people trying to assist the students. A law enforcement official, who has worked with some of the victims, explained why he thought students, and their friends, were reluctant to report victimization:

I don't know if it's because the kids are used to that what they have to say doesn't mean quite as much as adults do, or something that they won't be believed or that adults will care because basically they are spreading rumors. The kids may know these rumors and basically don't have the facts to back it up and so they know that what they would go to adults with wouldn't have any real substance to so they just - without being able to back it up - just don't think the adults will care to listen.

The culture of the schools from which the victims came appeared to stymie the reporting of the students as well as aid the adults in their desire to conceal. That culture, coupled with the reputation of the adults, fostered an instinctive awareness that the students were existing in a non-reporting climate. Since most of the victimization occurred in isolated, unobserved areas of the schools or outside of the buildings, concrete evidence of the victimizations was almost nonexistent. Most of the students had little confidence in their credibility with the adults in their schools, if the reputation of an adult in the system was in question, and did not report unless someone intervened to persuade them.

In a case where a school board essentially was forced to act on a report of victimization because the many reports of the perpetrator's sexual relationships with



student's was too overwhelming to ignore, a relative of one the victim tried to explain to me the difference a teacher's standing in the community could make in a case. He told me about the difference in the reactions of school board members in his town, where the teacher was a long-time staff member, and the reactions of members of another school board in a nearby town who immediately contacted local and state agencies after a sexual relationship with a student was revealed involving a teacher who was a newcomer to the community:

Relative: They would have been a little more squeamish if he had been tampering with boys. They would have had a real hard time believing that. They would have been in jeopardy also. The adult authority figure versus the kid. And they would believe the adult first, but it would be a little hard for them to say a boy was asking for it. But I think there still would have been disbelief if they had liked the perpetrator.

Interviewer: What would have happened if the teacher had been a hometown boy?

Relative: There would have been a real effort to cover it up. And even if there was a desire not to cover it up, they would look at it as a big mess that they wouldn't want to deal with. I think that's universal wherever you are.

Interviewer: Why do you think they would not believe the kids? Why would they think it best to sweep it under the rug, to fire the person, let them leave?

Relative: Well, they might have to acknowledge that they made a mistake. What a contrast between this situation and the one where the teacher was young and none of them had gone out partying with him. This guy, he cultivated the board members, administrators and other teachers. If you interviewed the other school board you might find people with feelings of guilt, even though they might resent you for asking, they feel very guilty for bringing a teacher in that caused trouble whether they really did wrong or whatever and are embarrassed. While this board, I think you would be hard pressed to find any one of them who would say they have trouble sleeping at night because this guy messed around with these girls and might have caused deep psychological problems.

Although not directly connected to the school system, this life-long community member

and observer recognized the value the community placed upon the adult and his place in the community ("the adult authority figure versus the kid"), the difference between the tolerance of an insider in the community ("a real effort to cover it up" if the adult had been a life-long community member) and an outsider ("the guy was young and none of them had gone out partying with him"), the difference in the belief or disbelief of a female or male student's reporting ("And they would believe the adult first, but it would have been a little hard for them to say a boy was asking for it."), a probable reason for not believing the student ("I think there would have been disbelief if they had liked the perpetrator" and "they might have to acknowledge that they made a mistake."), and the lack of remorse for believing the adult ("I think you would be hard pressed to find any one of them who would say they have trouble sleeping at night because this guy messed around with these girls and might have caused deep psychological problems.") In this case, similar recognition of the factors that had gone into what the local newspaper headline stated was "Board Refuses to Act in Spite of Guilt of Teacher," was repeated in the interviews with the victim's parent and the officer of the court that prosecuted the case. The parent accused the board of ignoring their report of their daughter's victimization, protecting the teacher, harassing their daughter and other victims and their families, and finally dismissing the teacher only after criminal charges were filed because, "He was one of them." Almost ten years later, the former principal said to me in an interview when I asked if he would now react differently to the reporting, "I still don't see how we should have done anything different."

Adults who preyed on students recognized the power of the adult rejection of a child's claim. As day-to-day participants in the inner workings of schools, they were fully



aware of their credibility if they were accused of inappropriate behavior with students. Indeed, they spent time and effort cultivating that credibility with other adults in the school and often in the community. For example, one of the perpetrators explained how he had insured the support of his fellow teachers if any question were to be raised about his character: "I never got into arguments about small issues. I tried to hold myself up as someone who told the truth, someone other people could trust to talk to about almost anything and they knew that what they said wouldn't be all over school. I figured that reputation might come in handy some day." Another perpetrator talked about how he sat and listened to his superintendent "drone on and on. Sometimes I would have liked to just turn around and walk outside, or called the guy a fuckin' liar, but I knew the day might come when I might need his support. So I sat there and nodded and agreed with him until I was ready to puke. It paid off though." In both cases many adults in the school and the community refused to believe that the perpetrators were guilty of anything. The judgment of the community focused on the victims and their families. Once judgment was rendered, the adults and children both publically and privately harassed the victims and their families. Hang-up calls and obscene phone calls were common. One student attempted to retract her report after the family car was followed out of town and the other driver tried to force their car off the road. When the family reported the incident to local law enforcement, they were told since no one else had seen the attempt, it probably had not happened.

Subassertion #2b: The characteristics of the victim may enter into the believability of the report.

As discussed in subassertion #1b, the students chosen for victimization by the

perpetrators were not the most popular students in school although they had several classmates as very good friends. The victims tended to be rather quiet, and were frequently described by themselves and other interviewees as “shy.” All were average to above average students who were not behavior problems in the classrooms. All remain quite attractive and descriptions offered by fellow students and parents confirm that the students were considered attractive by other students and family members. However, along with these commonly-held traits, all shared a background that, to some degree, was dysfunctional. When talking to them about their families, differing degrees of perception of the dysfunction were present, but each one acknowledged their understanding, now, that their families were not completely healthy. Valerie described her mother as “controlling” and her father as “almost invisible.” Vic remembered very little about his mother except while she was at home when he was very young that “she only seemed happy when she was going out the door to see her friends,” and his father was “working 26 hours a day and never had time to do anything with us.” Vickie described her dad as “very old-fashioned and still doesn’t understand how a good girl could get into trouble.” When I asked her how that had effected their relationship she responded, “I guess you could say we haven’t talked in about twenty years.” Vonda remembered her parents “in spurts” as she was “passed from aunt to aunt and back to aunt.” Virginia talked about her parents as “tak[ing] good care of our physical needs but I never felt very close to them.”

When the friends of the victims described their friends, they included descriptions of the families that were quick to pinpoint problem areas that they had recognized and worried about. One friend described a mother as, “She sounded like the adults in the



Charlie Brown cartoons. You know [made talking motion with her hand], Wa-wa-wa-wa-wa. She didn't talk to her kids. She talked at them. And all the time. *She* didn't listen."

Another one described her friend's father as, "...domineering. I don't remember him really having a conversation with them. I did hear him yell at them though. Of course, he didn't treat their mother any different either."

The victims discussed themselves and their families and how the relationships in their families could have made them the subjects of attention from perpetrators. The older victims appeared to have more insight into these possibilities and they also admitted they had spent a considerable amount of time, after they quit blaming themselves, pondering the reasons. One victim, looking back at a life marked by further abuse and divorce stated, "And I look back and I went from this controlling mother to this controlling teacher to the controlling spouse. There is such a clear pattern now." On the other hand, the youngest victim continued to struggle with the reasons as she stated, "Me and my friend were pretty much outcasts. I don't know why." However, at other times in the interview her free-ranging discussion revealed that both she and her friend were relative newcomers to the community, both were quiet and shy and differed from the majority of the students in her class as they refused to participate in the drinking that began when some of them were twelve and thirteen. Both the victim and her friend came from lower income families and had been teased about being "welfare rats." Interestingly, as the victim recollected, her understanding of why she might have been considered an "outcast" deepened.

As school personnel and law enforcement discussed the victims and outcomes of reporting, they also acknowledged that some characteristics and relationships of the

victims, particularly their families, weighed into decisions that they made. Since they were astute observers of culture and levels of tolerance of their communities I found their assessments to be very important. One superintendent had decided that he could not culminate an investigation into a victimization with legal proceedings, although he did pursue the discontinuance of licensure of the teacher successfully, as "There's no question in our minds that something had happened. She was just from a low-functioning family. She herself was a good student but - just the family - and we didn't know if she would be credible and all." As the family was poor, the parents with little or no education, and one of the children learning disabled, the administrator decided that, even though the victim was a credible witness, her background would be held against her and would make her lose credibility to the extent of losing the case. The law enforcement official also regretted that he had misjudged the influence of a victim's past in a previous case and had allowed her to testify. "My victim ended up being a poor witness because her background was not highly credible and they were attacking her credibility and I just wish I had never got into that because my case by itself was good enough." In four of the five cases, the issues of responding to a reporting were colored by how the victim and his or her family were perceived in a community because of dysfunction in the family or low social standing.

While the victims sometimes had difficulty understanding the role that the family played in their credibility, the perpetrators fully understood the value of selecting victims with more dysfunctional families. While all three discussed these traits, one conversation stands out as being the most open about the comprehension:

Perpetrator: They were kids that just were around, if you know what I mean.



I don't think anybody paid too much attention to what time they got home from school or expected them to do too much of anything. They never talked about their parents doing too much with them. I let them stay in my room after school and fiddle around with some of the equipment. I sometimes paid them a little bit to clean up. Then I spent time with them on weekends - picked them up, got them out of their parents' hair.

Interviewer: Did you want to ingratiate yourself with the parents or with the kids?

Perpetrator: Both, I guess. I figured I could kill two birds with one stone.

Interviewer: Did it work?

Perpetrator: The parents always seemed happy to see me when I went to pick them up and never seemed to worry about how long I was with them. Yeah, it worked.

Their calculated approaches generally were initially welcomed, although each admitted that they had been subjected to obscenities, ridicule, and anger when the parents learned of the victimization of their children. Several parents described themselves as being "used" by the perpetrators, and some of them expressed anger at a double betrayal.

Subassertion #2c: Decision-makers may take into account the credibility of the accused before accepting or rejecting a report.

Along with the ability to select victims who may have had little credibility in the community because of their backgrounds and were perceived as a reduced presence in the schools because of their quiet personalities, most perpetrators did not fit the profile of the "dirty-old-man" that many people may have of adults who prey on children. These were not people who stood outside the school yard and lured kids into cars. These men and women were inside the school buildings with a status in the school and the community, which in most cases, had been carefully cultivated. All of them were involved in extra-curricular activities with students and some of them were extremely popular because of

their coaching abilities or other talents, which they offered for use in the community. Most were married and had wives or husbands and children. Although their degree of physical attractiveness varied, all were personable, intelligent, and well-spoken. One principal described one of the perpetrators as: "...but he was just tremendously charismatic and one of the most devastating kind of people to have because he used that charismatic way for bad instead of good." When this same person who had been described by the principal talked about himself, he spoke about himself and the situation as:

- Perpetrator: I was very careful to always be friendly with everyone on staff. I told jokes and laughed with the guys and I always tried to act concerned about whatever the women were moaning about. My wife was in the same building and I was real careful to be friendly with the women she liked. And the superintendent and the principal, hell, they were drinking buddies. We spent a lot of nights sitting around the table at [a bar] and swapping stories. I remember there was always a part of me always watchful, always waiting, to see if anybody knew about [the student]. Sometimes I would burst out laughing when I was all by myself because they were so trusting and stupid. That went on for almost two years. Then we left town.
- Interviewer: Are you telling me no one found out?
- Perpetrator: I didn't say that. I'm not sure exactly what happened but I do know that one afternoon [the superintendent] called me in and told me he thought I had better look for another job. When I asked him why, he just kind of shook his head and said, "I trusted you, you son-of-a-bitch." That's all he said, but I got the picture.
- Interviewer: What did you do then?
- Perpetrator: I decided I had better find another job.
- Interviewer: What about references?
- Perpetrator: Oh, I got those.
- Interviewer: But what about your wife? What did you tell her?
- Perpetrator: You know, I don't really remember what I told her that time.
- Interviewer: *That* time?
- Perpetrator: Yeah.

Even though he was in the community for a relatively short time, this perpetrator was widely accepted because of his friendliness and physical prowess. Weighing and measuring



the reaction of the community if he were to contact social services and/or law enforcement, the administration decided that the outcome of acting on the suspicions of victimization that were brought to their attention could not result in any kind of action against the perpetrator and concluded the only action they could take was to remove him from the community — a decision the principal continues to regret.

Another perpetrator talked about the reaction of the community when he was accused of victimization and why he thought his credibility was much higher than the students:

Perpetrator: I was at that school for [a number] of years. I always tried to be pleasant to everyone, although I really never had a close relationship with any of them. They always told me I did a good job with [subject matter] and heard some of the things we did in class from the kids. I went to church almost every week and most of the community functions and got along with some of the people - especially some of the people at church. They kind of took me under their wings. I'd go out and eat with them after services. I can't say that everybody liked me, but I fit in. I never complained like some of the others always did and I think the principal was really happy about that.

Interviewer: What was the reaction of the other teachers to the - I believe you said 'cop' - showing up at the school and taking you out in handcuffs?

Perpetrator: Well, of course, I wasn't there [laughed]. But I heard they thought somebody must be pulling some kind of prank or that some kid was mad at me and lied about me for some reason. The church people were outraged that somebody would think I would do something like that.

Interviewer: When do you think they started believing the claim?

Perpetrator: A lot of them came to the trial. I think when they heard some of the stories the kids told, they thought there might be something to it. I don't know that all of them are convinced yet that it happened.

Interviewer: Did anyone ever ask you if anything did happen?

Perpetrator: No. But I would look around the room and see the looks on the faces of some of my 'friends' [gestured in air like making quotation marks] and knew what they were thinking.

Interviewer: And what were they thinking?

Perpetrator: Fag, fairy, homo - take your pick.

This perpetrator had been a trusted member of the community and the community members retained their support in spite of the discovery of additional victims. His character and credibility were almost unquestionable in the community and graphic testimony was initially discounted by many people as attempts of students to harm him for some reason. Some community members continue to question the guilty verdict.

Yet another perpetrator who had been simply non-renewed by a school board over the protests of the superintendent used his extracurricular expertise to obtain a position in spite of the superintendent's objections. The superintendent described the perpetrator as:

...a big dropper. He had all the big names in the state call for him about how great he was [to other schools where he was applying]. I couldn't say too much when schools called about him because his lawyer was threatening to sue me if I talked about him very much. That school went ahead and hired him anyway. They eventually fired him because he was sharing his car with young girls all the time and was having dinner by himself with [grade school] girls.

In that case, the superintendent was hampered by an agreement between the school board and the perpetrator and was worried about charges being brought against him for defamation of character. Only years later would he talk about the situation as his understanding of the consequences of allowing the perpetrator to move on continue to haunt him. Yet he remains convinced that he would have been terminated from his position by the school board who would continue to believe the perpetrator if the superintendent had attempted to take any legal action. He did, however, decide to resign, in disgust at himself and the community at the end of the following school year when his contract expired.



Subassertion #2d: The characteristics of the community may influence the decision-making process.

Each community in the study had a longstanding, usually unspoken, knowledge of the characteristics of the people making up that community. Consciously or unconsciously, when the possibility of controversy or a controversial issue arises, the members of the community involved in an issue made almost instantaneous decisions on how to cope with that issue based on what they knew about what the majority of the people would consider appropriate. Knowledge of conservatism or liberalism, unification in religious beliefs or diversification of religions, and any differences in accepted patterns of communication were factored into the decision-making process. The level of knowledge of community characteristics was an interesting factor in the decision-making process spoken of by administrators and school board members in the cases that were studied. If the administrator and/or the school board members were natives of the community where the victimization took place (or if they had been in the community a considerable period of time) they expressed a greater reluctance to investigate or act.

While each administrator and school board member recognized a community's social structure, those with the closest ties, were the most reluctant to upset the rhythm of everyday life by bringing in a claim of impropriety. One principal, serving in the community where he was reared, knew well that the community would not believe an accused teacher was guilty and simply "had a talk" with him and did nothing else. However, when this same principal moved to another community a distance from his home community (which he defined as less conservative), he responded to a similar situation

with termination of the teacher and the pursuit of the removal of licensure. He cooperated fully with law enforcement officials and the teacher was prosecuted. In fact, he attempted to have other current and former students press charges, "I went around within days after this came out [that at least six more girls had been molested over a considerable period of time by the teacher] and tried to get all of the girls or [the underage girl's] parents to let them testify to this and they all lied. Nobody wanted anything to do with it. Very sad. Wouldn't say a word so this one little girl was all by herself. Eighty-five percent of the community was ready to lynch me and every board member." However, the principal "felt good" about himself this time because he "[could] do the right thing without worrying about what [his uncle and aunt] or [his mother and father] would have to put up with because I had gone ahead." While speculating about the possible reasons that school officials would not respond to the reporting in a swift, forthright manner, a member of law enforcement considered possible reasons for not doing so.

One of the things I see is that people maybe convince themselves that they have to justify what the teacher did so they can still support him so they say the girls must have put him up to it or must have wanted this. The reason they need to find the justification for this is many times, and in all cases I've dealt with, is the teacher is also the coach of some kind and because they're a coach, and have been brought there because of their coaching techniques and they have improved the sports program or something at the school, people are willing to overlook some other flaws that they may have including a background there that might indicate that they could commit a sexual offense and I do know that most people totally underestimate the amount of sexual abuse that occurs [in schools] and has always been occurring. It's nothing new. Just something we knew much less about.

Because the community desired the recognition of superiority that came from a teacher or coach that could lift them above other communities in sports, drama, debate, music, or other competitions, or the teacher "was excellent in the classroom," ignoring "flaws" in



character and inappropriate behavior with students were reasonable trade-offs for having a winning season or a teacher in a classroom. For example, one principal described a situation where a mother knew the community enough to restrain herself from reporting a victimization for a period of time:

When it all shook down - and this was really sad - two weeks before the season was over, this mother came in who I really respected. She had a great son on the basketball team, probably the best player we've ever had. She said, 'I found my daughter's diary. I went back and found this man has been messing with my daughter for almost a year and a half now.' She was 13 when she told me about the diary. She was 12 when it started. I told her to bring the diary in right away because I wanted to get started on this. She sat on the diary for two more weeks until the end of the basketball season was over! She was afraid of what the community would say if she turned in the coach before the end of the season! Isn't that sad?

Although the case was pursued by the school, the investigation did not begin until the team had completed its season because, as a member of the community, the adult recognized the potential for retaliation and harm to both of her children if she submitted the proof of the guilt of the perpetrator before the community was satisfied with its claim to success. Although the wrath of the majority of the people in the community did descend on the parent and the female student for reporting a popular coach, her male child remained unscathed.

Many of the interviewees expressed concern for the victims as they encountered the displeasure of the community when the reporting, either through the grapevine or more formal means, became known. Sometimes supporters of the victim became the targets of wrath in the community also. While I was interviewing a counselor who had supported the victim he revealed how his support had affected him:

But there's a feeling that the victims - I don't know if I told you part of it or not - but there was a woman in the community... First, of all, no community is unanimous, and I had a handful of supporters throughout the whole thing, but the rank and file were not for me, and they hated us, and a woman started a petition to take away our legal rights. There was a real movement to do some damage to us. But just the wrath that I felt was frightening. But what was totally missing - I wanted to do more about the psychological damage that was done to those girls. That story has never been told and those folks totally do not understand the damage done to those girls. There isn't much belief in psychology in the first place. I believe strongly in the value of psychiatry. They tend to be anti-psychiatry because of the denominational prejudice. I think it tends to be ignorance or lack of information.

For trying to "do the right thing" this interviewee was threatened with loss of his livelihood. Rather than admit that the perpetrator could possibly have victimized a student, a considerable number of people from the community decided that the person following legal procedures was at fault and attempted to remove the counselor from his position. He survived a petition drive, but never recovered his trust of the community, or they of him. After a considerable passage of time, the condition has not improved.

The issue of how religious belief may influence the credibility of a reporting was alluded to in the previous quote. This issue surfaced several times in the interviews, particularly in regard to the credibility of females reporting a victimization by a male adult in a school system. This issue will also be discussed in Subassertion #3a as the delineation between the belief of the reporting of a male and a female student is explored. When the characteristics of the community were discussed, interviewees proffered their understandings of how and why the religious beliefs of many members of the community led to judgments about alleged victims. In the four cases with female victims and three male and one female perpetrator, male and female credibility with respect to the reporting



the sexual relationships was evaluated and in every case the male was expected to be the more respectable and credible party. Blame was laid on the females. In the case where the victim was male and perpetrator was male, the question of the male victim's credibility with respect to the reporting did not arise. For each scenario, interviewees offered possible reasons for their decisions, based on religious beliefs. One community member who understood "where most of the people are coming from" in not believing the claims of the females summed up the words of many of the participants:

In that particular community, speaking of religion, religion is big and men are gods in the church or anywhere else. And so there is just a natural tendency there that, you know, it couldn't be the man's fault. And she [the community member the person was discussing who blamed the girl] is from [the dominant denomination] so I would attribute maybe some of it to that. I have no way of measuring it but I would say there would be a lot of people [from that religion] that would blame the girls. And then some of the stories - about what *really* happened - came out of other people. So they have accepted it. Still the feeling is the girls are responsible for it — if it *really* happened.

This community member was convinced that the religious beliefs of the majority of the community prevented many from believing, at the time of the victimization and through several years thereafter, that an adult male should have been punished for having a relationship with a female student. Even though the "punishment" was a dismissal from the school only, the generally held belief of male superiority in their religion kept the members from acknowledging the possibility that the female student had been harmed. In fact, they maintained the belief that, if something had occurred, the female had precipitated it and was at fault. This viewpoint echoed throughout the interviews.

One mother particularly, who was very active in the largest church in the community and had wrongly assumed the people in the congregation would support the

family, remained puzzled about the attitude of the people in her church - toward her and her husband's own relatives. As we discussed the community and school environment that had resulted in their daughter enrolling in a school in another small community, almost thirty years, later, she was still surprised:

Mother: The rest of the family never understood why we sent her over there [to another community] to go to school. Nobody understood. In fact they thought - I went to a church meeting and one of the ladies, she said to me, 'Oh, that wasn't the way I heard it. That's different. That isn't what I heard about the situation.' They all heard a different story. But I just couldn't understand the people. They all had kids and I thought it would have just tore everybody apart.

Interviewer: Did you ever hear anybody or did anybody ever say to you that it must have been her fault?

Mother: I think that's what they thought. I think they thought she had brought it on herself. 'Why feel sorry for them?' I believe that was the whole story. I think that's what they thought. And they did not know the whole truth about it.

Interviewer: Do you think they wanted to know the truth?

Mother: Probably not. That would have made [the teacher] look guilty and they couldn't believe he was guilty. A man couldn't be guilty. It was the worst feeling for no one to help you. We didn't know where to turn. I don't know where we could have turned to get help. This was a new experience we had never had before.

Interviewer: [To Father] Do you remember your feelings during that time?

Father: My feelings? Well, I know I would get angry. I was angry at [the teacher] and I was angry at the school board and I was angry at the people. That didn't help anything. If I would do it over again I would do it a little different. [Long pause] No, I don't know what I would do. When you don't get results you give up I guess.

Rather than supporting them, as the parents had assumed they would, their church friends regarded the daughter and parents as the ones who had caused problems in their community. The female student was judged as being the aggressor, and even though the parents offered to relate the true story to the members of the congregation, the members preferred to retain their version which held the male teacher blameless. Eventually the



parents discontinued their attendance at a church where they had been members since childhood and eventually removed themselves from the community. Years later, the frustration and disappointment remained with the parents as well as a puzzlement about the reasons members of their church would not listen to what had truly happened. Their bewilderment was exacerbated when the board chair, several years later, wrote a letter to some of the classmates of the student, (who were by then adults) who had finally questioned why no action had been taken to assist their friend, and in his letter he stated that nothing had happened. During an interview, a friend of the victim stated the reason cited in the letter "boiled down to [the mother] is just the nosiest thing and she's been making all of this up and I don't feel sorry for her one bit." Later on when I interviewed this same board chair, while he discussed his knowledge of the situation, he offered no excuse or reason for refusing to take action. A law enforcement official who has dealt with many cases of abuse offered this possible explanation for someone to not take action, "Before - when you started to ask how people live with themselves when they know that they must have allowed a situation like that to go on and are even allowing it to go on - they must just subconsciously convince themselves that whatever happened was a one time thing and are hoping and praying that it just doesn't repeat itself and I don't know where that state of mind comes from."

The attitude of the community toward the report of victimization influenced the acceptance or rejection by the school community as well. As the community-at-large reflected its membership, likewise did the school and its environment reflect and set the stage for the acceptance or rejection of the reporting.

Subassertion #2c: The school environment may influence the decision-making process.

Most of the interviewees expressed little hope for action from people in positions of authority. In fact, those who might be considered the outsiders in the school community generally were more optimistic about a report of abuse being positively received. For the most part, many of the school board members and administrators voiced their frustrations with internal politics that had forced them to refrain from following their inclinations to begin an investigation.

As those who had gone through the reporting process, usually a parent or a victim, talked to me during the interviews about their attempts to report the sexual abuse to a principal or superintendent, the frustration and anger they had experienced began to surface. One mother continually placed her hand on her chest and gasped for breath as she described her attempts to get the superintendent to believe her daughter's claim. As for her daughter, we completed two full interviews before she talked about her remembered feelings of "hopelessness and helplessness." Fortunately, once they spoke out they said the retelling released much of the residual hostility and helplessness.

One of the dynamics of reporting process that is either discounted or ignored when speculation begins about why school personnel do not believe the claims of the student is the fact that the adults in the schools are in daily contact and often have become friends. A principal continued to feel betrayed by a perpetrator in his school system because the principal had considered the man to be his friend. He no longer allows himself to become close to any of his staff members because "I don't want to be used again. I don't want to take that chance [again.] It's not much fun to have to go after someone who you thought



was a friend and find out that you were just used. You were just a stupid pawn that they were using. And I think this teacher just thought I was a good enough friend that I would let him get away with it." Other administrators used words such as "duped," and "conned," but, for the most part, the message was the same.

Another reason for not pursuing suspected victimizations was fear. A parent described how she had tried to get a counselor to tell a school board member or the superintendent about seeing her daughter and the perpetrator in "a very compromising situation," but had not been successful:

Mother: I don't know if he [a counselor] ever told the board. That's one thing I want to say about how I'm amazed how trained professionals do not do their job. Either out of their own personal hang-ups or out of fear or out of feeling that it's not going to do any good, or whatever. I just came away with the feeling that there were a lot of professionals who knew the various pieces of the puzzle who never really did anything about it.

Interviewer: Can you speculate on why you think this is?

Mother: I think it was fear of causing trouble or getting involved in it because I think they felt if they reported it to someone they would be personally involved in it. Then they would think that maybe they didn't have all the facts, whatever.

Interviewer: So you think they would be more afraid of local authorities than they would of the State?

Mother: I think so. I think it would be local opinion. You tick them off too much, you don't have a job. I think there is a fear of stirring things up. 'I would rather suffer than stir up a stink.' 'I don't want to be seen as a troublemaker.' But I think that's the wrong attitude. There should be a way of preventing things rather than having to try to cure them after they happen.

The fear factor was also expressed by a board member who had tried to bring a report to the school board and had been rebuffed:

Board Member: I was so relieved when you called me after [the parent] had contacted you. I wasn't on the board anymore, but I still hoped

that somebody would do something. I knew the school board chair, at least, knew about the situation, and I'd be willing to bet that quite a few more in the school knew, but nobody was willing to do anything. I was so mad at them but I felt so helpless. I knew if I said anything I'd be the one that was blamed, not the teacher. That night I came home and heard the state police had been here was one of the happiest of my life.

Interviewer: Did you still get the blame for blowing the whistle?

Board Member: Well, [the board chair] didn't come right out and call me a bitch when I saw him, but he was sure thinking it. I just smiled and walked away. I really don't care what he thinks. Besides I'm in the process of moving and won't have to put up with it much longer.

Interviewer: Do you think that anything would have been done with the teacher if the parent hadn't called an outside resource?

Board Member: Truly? Never!

The image of the person attempting to support and aid a student as a "whistle-blower" also surfaced when I discussed the possibility of teachers in a small town responding to a report of victimization with a board member who thought because, "the teachers are related to everybody in the community - that slows down the whole process too. With a steady flow of outsiders coming in as teachers, maybe you have a bigger chance of molestation, but you also have a better chance of someone blowing the whistle because they don't have the investment in the community and relatives on the board."

School administrators expressed their frustration with roadblocks or outright hindrances they met when they had tried to investigate a claim of abuse or had supported students who were involved in reports. School board members were targets for a great deal of the frustration because, as a principal explained, "They don't know their responsibilities and they don't want to." In this case, the principal was concerned about school board members not understanding their responsibilities and following through on



them, but in another interview, the administrators were the target of a similar accusation. A counselor vented her frustration about being left "twisting in the wind" after she was ordered to try to "clean up" a victimization in-house. When I asked her why she would not have been asked to lend support to the victim she replied:

Counselor: We have administrators who are not willing to use our expertise. They try to get us to do some of the administrative things that really aren't our job. Then there are things that we should be involved in and they don't want us in there. Sometimes they finally come to us and get us involved and we spend more time trying to deal with the consequences than we should possibly have to.

Interviewer: Are you saying dealing with the cover-up?

Counselor: Yes. Or being given a little snippet of information and not enough to operate. 'Don't make me spend time getting the information when you had the information all along.'

Interviewer: Why do you think that happens?

Counselor: Perhaps to shift the blame. If I'm the one that people see looking around and asking questions, maybe when something comes out, the administrator is off the hook. Now I'm the one that ratted.

Interviewer: I find this idea that when someone is talking about supporting students - as you express it, you would be 'ratting' while others have called it 'whistle-blowing' - why does it have such a negative connotation?

Counselor: Probably because you're seen as breaking ranks and not supporting your fellow teachers. You're the black sheep of the family.

The school functioning as a community, or a "family," was a prevalent idea in the interviews with school personnel. However, as the interviewees spoke of that community, or family, they obviously were speaking of two separate communities or families, with the school personnel forming one community and the student body forming another. If the two communities came into conflict the - at least initial - support of school personnel was for the member of the adult community. Sometimes, with enough evidence, the support for the adult was withdrawn and assistance was offered to the student. Some adults chose

to withdraw from the situation entirely if, in spite of the obviousness of the guilt of the perpetrator, the student was not believed, because "I knew that it wouldn't make any difference either way."

### Stage Three Decision - Type of Action

By this time, the initial shock, possibly the first round of rumors, and the beginning of "choosing-up of sides" had dissipated. In some cases the rumor mill or perhaps the newspapers were bringing some information to the members of the community, while in others, where the cases remained unknown to the community at-large, what community members might conclude was being used as an evaluative tool. As the school personnel were examining possible types of action to take against the perpetrator, or perhaps the victim, or maybe dismiss the entire reporting as a "figment of that student's mind," the influence of the community's expectations were brought into the conversations. The more closely the administrators knew and were involved in the community, the more the type of action taken was targeted at satisfying the community's expectations. At this point, for most of the five cases examined, the choice was to dismiss the cases as "figments." The next portion of this paper will be dedicated to exploring the reasons for that decision.

Assertion #3: Decisions to act can be influenced by community expectations and can determine the type of action taken.

In each deliberation, ranging from the private thoughts of school officials to group meetings of many officials, the possibility of a student factually reporting a victimization was weighed and measured based on what the school officials understood about the community in which they lived. Newcomers, with less at stake or perhaps a lesser



knowledge of the community's level of tolerance, were much likely to follow legal procedures and involve social services and law enforcement. This held true for both school personnel and families of victims. The stronger and longer the ties to the community were for both entities, the longer the deliberation was before a decision was made. Nonetheless, no matter what the outcome of the deliberations were, there were several common factors about the community that were considered. The factors with the greatest impact are discussed in the following subassertions.

Subassertion #3a: The level of blame placed on the victim may influence the decision-making process.

All interviewees said, [There is a perception that] "Girls ask for it." Some of them did not believe this statement to be true but were echoing what they had heard people involved say. Others were voicing their personal opinions. Most were speculating on why an obvious case of abuse had been ignored. Others reflected what seemed to be almost universal knowledge. The only puzzling issue, for a law enforcement official was, "I was just saying that the attitude that exists in school is that where if it's a girl, she's asking for it, and where if it's a boy student, then the offender is responsible. This is a flip-flop from what happens in a non-school case in that there's hell to pay if somebody molests a girl. But if it's a boy who has sexual contact with a female who is an adult, the community doesn't see anything wrong with it and almost pats the male on the back for it."

This phrase colored every case with female victims. In the one case where the victim was male, the issue of "boys ask for it" was never in question, and no one else, even though I deliberately asked each interviewee about how the cases would have been

different, if the females had been males instead, expressed this as an opinion. Each person recognized the distinction, however. No one doubted that this difference entered into the decision-making process.

Two anecdotes exemplified the extent of this belief as two stories, with twenty years dividing their occurrences, were related by interviewees. The first incident was from the late seventies as a principal remember his exasperation with how community members had reacted when the news of the victimization of a girl, at that time 13 years old, became public speculation:

It's the mentality. 'Girls ask for it.' I don't care if it's a female teacher and a boy - she 'asks for it.' If it's a female student and a male teacher, she 'asks for it' - 'What do you expect? See the clothes she wears?' - what do you expect? When the story came out [on the victim] I heard people say her mother was the same way in school. They didn't even know her mother when she was in school! She didn't go to school there! They didn't even know her from Adam. The stories that came out of there were unbelievable. They were trying to crucify the mother for going after him.

The second description came from a reported incident that took place in the nineties. The relative of a victim reported on a conversation he had overheard in a local restaurant shortly after the community people began discussing what had happened "up at the school." He remembered the conversation as:

Well, they would say that the girls were asking for it. They would blame the girls. And then like with their little anecdotal tales that they use to explain the situation. One of the gals that works there is friends with one of the victim's mother. Anyway she sort of told the story how this young girl came on to a guy from here. They must have been in the store where she worked and just stopped to say hi to this girl, you know, and the way the story was she kind of put the moves on a married, adult guy which I find hard to believe. The message was there that this girl, it was her fault. I mean, she did it to this guy and she obviously snared the teacher too. She was a Jezebel, whatever...



In neither case was the perpetrator even mentioned as a part of the situation. The blame was allotted to both victims without hesitation and extended, in the one circumstance, to a predilection visited upon the female by the mother, and in the other circumstance, served as the basis for a community story used to stress that the teacher was not the only victim of the wiles of the female. In both cases, the communities were very aware of the claims of victimization by the females and the majorities of the communities had decided the males were not at fault.

One victim recalled the devastation she felt when she had heard a discussion in her own family when the news had broken on a case of student abuse:

Victim: My own mother, when she heard about this 11-year-old girl, she said [the girl must have] consented. And I heard my sister-in-law say the same thing and she has an 11-year-old daughter.

Interviewer: She was asking for it?

Victim: [As if to say] Gee the poor teacher. This girl consented. She probably chased him. You know, I just... [Very guttural sound from the back of her throat, perhaps Oouah, almost like trying to vomit]

Interviewer: Do you think they would have said the same thing if this had been a boy?

Victim: He would have been a total victim.

Interviewer: In your mind, what makes the difference?

Victim: Homosexuality around here is just a taboo.

When I asked her parents to speculate about the differences in the outcome of their reporting of victimization of their daughter by a teacher, if the victim had, instead, been a son, this was their response:

Mother: I look back and think, 'Why didn't the community stand behind us?' They all knew it. Why didn't they say something? They didn't want to get involved evidently.

Interviewer: How would the community have reacted if they found out the teacher was sexually interested in your son, rather than your daughter?

Father: Oh, God!

Mother: A big difference, a big difference.

Interviewer: In what way?

Mother: Man on man. I think they would have gotten rid of him right away. I really do. With [the daughter] they just thought she brought it on. And they wouldn't think [the son] did. I think the community would have been more aware of man on man - male on male.

Father: They sure wouldn't have hired him again. They were all men on the board, you know. I think I would lose my temper and do something drastic but I don't know who I would go and talk to because it didn't do any good with [the daughter] either.

The animated response from the father at even the possibility of his son being the victim rather than his daughter stressed the differentiation made between perceiving the female as a candidate for predation versus the male. The reversal of male victims rather than female victims, when the topic was introduced, was continually met with this same revulsion.

A counselor spent a considerable amount of time discussing this issue and connected it with his belief that few cases of student victimization are reported to authorities or talked about with parents. "I think because girls have heard so many times from other people that they 'ask for it,' before they come and talk about it that they don't feel they have a right to go and talk to somebody. It becomes so meshed together." The counselor also expressed concern about the need to establish better levels of trust with students because, "Students come and 'feel you out' about small things first and if you don't meet their level of trust, they certainly won't trust you with important things." Unfortunately, for a number of reasons, which he believed included "gossip and attitude," many school personnel never gained that trust.

If the pattern Noir observed in her investigations with the Washington State Professional Practices Office are accurate, by the time female victims voluntarily come



forward to accuse a perpetrator, at least seven to ten years have passed since the victimization. By that time there are likely to be several more victims if the school officials or law enforcement have not intervened. As I discussed that phenomenon with a prosecutor who specializes in abuse cases, he offered little hope of altering that pattern without major changes:

Official: Both girls, even though they are now adults — one of them wouldn't even say anything had happened and the other one, when she realized what was going to happen started trying to retract all of it. You know, I'm sure for both of them there will come a day when they'll wish they had taken a different stance on it.

Interviewer: Is there something we could do to help them over that or is that the stigma of the whole issue?

Official: I think it gets back to trying to lessen society's blame for at all feeling responsible that it was their fault. I think both of those girls felt some degree of responsibility for it having happened. So I think all we can do is get the word out and try to educate people that no matter if the victim is totally compliant, it is something that they shouldn't feel responsible for.

Interviewer: Unless the attitude of the communities change that the girls are 'asking for it,' is that going to happen?

Official: It's not going to happen. The victims usually have to move out of town.

One administrator, who called himself a "good-old boy," summed up the status of women in "he-said, she-said" situations by saying, "Women are fooling themselves if they think they have any rights to speak of." Until the attitude of people in the schools and the communities alters, the girls will continue to "ask for it," and few female students will be believed when they report a victimization. Thus, no action, which would result in any type of punishment of a teacher, would be considered necessary for school officials if they were to continue to respond to many communities' expectations.

Subassertion #3b: Extent of the knowledge of the situation may influence the decision-making process.

When a report was made and only a few people knew about the claim of victimization, the probability of any appreciable action against an adult in a school system was minimal. The most common action, if any was taken, was the forced resignation of the adult, often with an agreement of non-disclosure and a letter of reference. The person was free to move on to another school system. If more people in the community knew about the victimization, and the victim and his or her parents, had standing within the community, the adult was often dismissed with no references, but with an agreement of some type in place that purportedly limited the system's ability to discuss the reason for the dismissal, although those agreements are not legally binding. In most instances, the adult did find employment in another school system because of his or her abilities, generally in extra-curricular areas. Usually, one of three circumstances prevailed in cases where the perpetrator lost his or her licensure and/or was brought to trial: 1) If there were multiple victims in the same system and perhaps from previous systems who came forward. 2) If the parents or supporters of the victims were willing to pursue their claims beyond the local level and contacted social services and/or state officials. 3) If the administrators and/or members of the school board were strong advocates and supporters of students and were willing to follow legal procedures and began an investigation into the charges. During the interviews both administrators and board members acknowledged that this level of concern for students generally was not attained the first time a possible victimization was brought to them.

The retraced path of one of the perpetrators, from his first school position to his last, illustrated how varying levels of knowledge of the victimization in a school system



could affect the results of the reporting of victimization. As Mr. Smith held positions in four school systems for an accumulated time of approximately twelve years with a cumulative total of approximately ten victims, the responses of three school systems allowed him to continue to prey upon students. Unfortunately for Mr. Smith, the superintendent in his fourth school listened to parents and other students and initiated action which resulted in his arrest for sexual abuse of minors, and conviction.

Immediately after graduating from college, Mr. Smith was hired as a teacher and an overseer of extra-curricular activities. He was newly married and his wife obtained a position in the same school. During the first year Mr. Smith was in the school, the administrator was somewhat surprised by the young teacher's willingness to sometimes leave town the day before an extra-curricular event or remain for a day after on business without complaint. The administrator learned that another young teacher, also in charge of similar extra-curricular activities in a nearby town, usually accompanied Mr. Smith. The second year the pattern continued. However, a few days after the culminating activities for the extra-curricular event took place that year, the administrator received a phone call from a fellow administrator who informed him that Mr. Smith and his friend had stayed with two females during that event and some rumors were going around about perhaps this had not been the first time that something such as this had occurred. After making some discreet inquiries, the administrator called Mr. Smith into his office, told him what he had found and said to him, "I've heard some pretty heavy rumors that I don't like one bit and if I find out you have been messing around, this friendship is over and I will get you." Mr. Smith assured the administrator that "he would never do anything like that and

never do anything to hurt me.”

Both Mr. Smith and the administrator moved on to different schools and the two lost contact. Mr. Smith went to the school where his teaching friend was and took over part of the extra-curricular activities. In that community, Mr. Smith was well-liked and, with his wife and by-then two kids, became a popular participant in community functions. However, he and his friend continued to take extended trips out of town. Three years later, the administrator of the school received a phone call from the mother of a student. The mother was accusing Mr. Smith of sleeping with her daughter and at least two other girls that she knew about, along with his friend of course. The extended trips made by the two men were explained when the one of the students admitted to her parents that she and some other girls had sexual intercourse with the two men during extra-curricular activities trips. The administrator demanded the resignation of the two men effective at the end of the school year. “The mother that called me was definitely angry, but I don’t know that the rest of the community even knew that the girls were involved. None of that stuff went back to the community as far as I know.”

Although the administrator refused to give Mr. Smith a recommendation, he was soon hired by another school system that was interested in his success in extra-curricular activities. Mr. Smith and his family once again were welcomed into a community and were active in community affairs. However, his contract was not renewed the second year because one of the administrators at the school was concerned about the fact that “he was spending too much time with young girls. Seventh graders. Having dinner all by himself with seventh grade girls.” Other rumors were going around as well, but seemed to be



confined within the school system. Several parents were complaining about his behavior, however, and the school officials assumed other people in the community would be told about what was occurring. A parent had asked for a social services investigation but the school administration had never received a follow-up report from social services.

Interestingly enough, at that time, the administrator from the school where Mr. Smith had begun his career was looking for someone to improve his extra-curricular program. The administrator checked with the two school systems where Mr. Smith had recently been employed and was told that Mr. Smith had been an asset to their extra-curricular programs and his family was well-liked in the communities. The administrator, assured by their recommendations that his concerns about Mr. Smith while in his first position were unfounded, signed Mr. Smith and his wife to contracts. Mr. Smith and his family settled into the community and became active in community affairs. The extra-curricular program improved, Mr. Smith went out-of-town and returned on the same bus as the students involved in the extra-curricular program, and all seemed to be going well. Then one morning, a mother walked into the administrator's office, and said, "I have proof that Mr. Smith has been having sexual contact with my twelve-year-old daughter." The daughter verified that she and Mr. Smith "had made sexual contact six times in the school building, during school hours." The administrator investigated and found that "Mr. Smith had the daughter in class and would say to the girl, 'Here, take my keys and make sure nobody is down in the gym messing around.' And then after five or ten minutes when she hadn't come back, of course, he'd go to a fellow teacher and say, 'I wonder where in the heck she's gone. Here, cover for me.' He'd take off and meet her down in the coach's

room.” Further investigation by the administrator found that “she was only one of many.” At the trial, Mr. Smith, as part of an agreement made with the states attorney that allowed him to serve no time if he would go to counseling and surrender his teaching license, verified in court ““And isn’t it true that you not only raped [the student] but you raped four other girls [in the same school]?” And he said, ‘Yes Sir, it is.’ Five of them. ‘And Mr. Smith, isn’t it also true that you raped two girls [in another school district]?’ ‘Yes, Sir.’” The administrator continued, years later, to blame himself for not investigating the circumstances behind the telephone call that he received almost ten years earlier. “It gives me goosebumps to think about this. You’re bringing back bad memories.”

Only when Mr. Smith “overestimated [the administrator’s] friendship” and assumed he could continue to victimize students, did the path end. In each school system his activity escalated and the number of people who were aware of what had occurred and the number of victims had increased. Each time he escaped punishment and public exposure, his activity increased. Mr. Smith tripped up by assuming he could continue unchecked until he encountered an administrator, and a school board, that would not allow him to resign and continue on to the next school:

I immediately called social services and they were in and out and all over that school that one day, pulling that little girl out of class, and that man died a million deaths that day and I thought, ‘You sucker, just die!’ And as soon as school was out he went home and I called the cops and they went right over and arrested him. We went away for the weekend and we pulled into our driveway about 9:00 on Sunday night and the phone was ringing. Of course it was him. ‘They’re accusing me of doing something wrong and I’ve done nothing wrong. Can I see you?’ I said, ‘Yes, you can.’ When he walked in, he said they were trying to accuse him of something and he was innocent and I said, ‘Mr. Smith, you’re a liar. You raped that little girl. Hand over your keys.’ And he said, ‘I never raped her. It was consent every time.’ He hung himself. We suspended him with pay. Pretty soon his



attorney was making threatening noises on the phone and I told him he had better come through with the resignation, quick, and shortly I had his resignation on my desk. But I didn't drop it. I pursued it.

This example was echoed by several other interviewees with similar outcomes to the accusations made by victims. A low level of awareness of the victimization in the school and the community tended to encourage the school systems to allow the perpetrator to quietly resign, sometimes with and sometimes without recommendation, and move to the next school system. Only if there were a number of victims and/or a seasoned administrator unwilling to allow the perpetrator to continue to victimize was the perpetrator's move to another school system halted.

Subassertion #3c: The level of outrage, based on the type of abuse, may influence the decision-making process.

Although the victimization of a female student by a perpetrator was sometimes met with almost indifference, 12 out of 15 times, the mere mention of the possibility of a male student being victimized was met with horror. Each interviewee who addressed the issue of the victimization of a male student, either speculated on the reaction of others or reacted themselves to the potential difference in the response to male victimization rather than female victimization. I discussed the possible differences in the response of schools, students, and the criminal justice system to actual reports of victimization and potential cases with a prosecutor:

Prosecutor: I have never prosecuted a case where a female teacher has offended against male students. There have been some of those here, I'm aware. Well, in fact, I'm aware of one female teacher who was an offender against a female student.

Interviewer: And the verdict?

Prosecutor: She pled nolo contendere. No, I've never prosecuted a female teacher for sexual acts with a male student.

Interviewer: Do you think that would be different than the male predator?

Prosecutor: Well, I think there is a much higher likelihood that you would never hear about it and if you did hear about it, it wouldn't have been because there was a report to the authorities. I think there would be a lot of giggling between the boys probably and some of them patting them on the back and saying good job or whatever but I don't think the first thought in the people's mind would be to notify.

Interviewer: It would almost be a pride thing?

Prosecutor: Yes. Where if it's a male teacher offending against a male student they can easily see that as a crime and it will be immediately reported.

Interviewer: Homophobia?

Prosecutor: Probably homophobia would be part of it.

Interviewer: What else?

Prosecutor: I think another reason why schools put themselves into situations like that is that they have been operating in an environment of avoiding law suits at all costs. So school board people always have a concern for the liability of their school and not doing anything to cause a lawsuit against them. Avoiding them at all costs has included overlooking personality flaws like perverted or sexual contact with students.

During this same interview, the differences in the sentences among the different types of offenders were discussed. As we discussed the sentences given to various perpetrators we both knew, he could offer no explanation for a female perpetrator with a female victim receiving no prison time, several male perpetrators with multiple female victims receiving maximum sentences of three or four years with one or more years suspended, and a male perpetrator with male victims receiving over fifty years with a minimum of twenty years before possibility of parole. One possible reason offered was, "As far as I know those guys weren't convicted on as many counts." He had not previously considered the idea.

Perhaps a principal answered part of the question during an interview dealing with what might have happened if the victim in his school had been a male victim of a male



teacher. "The community would have went after 'em if it had been the same sex. Oh cripes, yeah! You've got to remember that cowboys don't do that kind of stuff. Hang the teacher! Hang the teacher! Homosexual acts, they will hang the teacher every time. That's the biggest one. But this is a male man's mentality and this mentality has dominated the world to the point where females don't even understand their own rights. You guys [referring to me and all females] think you have rights, right? You still don't have rights!"

The difference in the community response to the victimization of males rather than females was also recognized by a male perpetrator and a male victim. The adult male fully recognized the community's condemnation of him as an outgrowth of its aversion to homosexual activity and recounted an incident during a trial as an example of that knowledge:

Perpetrator: I turned around one day at the trial and saw this other teacher sitting in the back of the courtroom. I was really surprised to see him there. I knew he'd been fooling around with one of the freshman girls a couple of years before... It really upset me that he'd be there waiting for me to be judged. When I got the chance - we kind of had to go past that side of the room to go out the side door - I leaned over and said, real low, to him, 'The only difference between you and me is that you diddle girls.' He jerked back like I'd shot him. That's the only fun I had during the trial.

Interviewer: Did the school do anything to him?

Perpetrator: You're kidding, right? He's a coach!

Later in the same interview when we were discussing the perpetrator's awareness that he had to conceal his homosexual tendencies in the community where he taught because of the stigma attached, I asked him if he knew what would set him apart from a male teacher who victimized female students:

Interviewer: You told me about the other teacher that you knew had been

- molesting girls in your school. What would be the difference between the two of you - why was he still at that school, and you were not only not at the school - you served time in jail?
- Perpetrator: Our partners of choice. I think a few people might have been mad at him for fooling around with young girls, but not most of the people. It went on for years. But I went after their menfolk - younger menfolk, yes, but they were still menfolk - and that they wouldn't tolerate that. My mom used to tell me that it's a man world. I think I got the saying wrong.
- Interviewer: So what you're telling me is that it's okay to be over friendly with young girls but it's not with younger boys for most of the people in that community?
- Perpetrator: As far as I can tell, yeah. But you don't mess around with their menfolk.

The victim of the male perpetrator also spoke of his recognition of the differences between the reception he had received in his community after it had learned of his victimization and a potential female victim:

- Vic: I always waited for people to look at me like I was dirt. I thought they would call me names - you know, queer, whatever. But everybody was so nice. I think a lot of people went out of their way to make sure I was doing okay. But they sure put [the teacher's] ass in jail. That sure didn't hurt my feelings either.
- Interviewer: Do you think the people there would have reacted the same way if it had been girls instead of boys?
- Vic: Let me think about that. [Pause.] Nope. I don't think people there liked the idea of a man who does other men. They're used to males and females together. I think maybe some of them would think the girls had led the man on. Some of them? Probably most of them.
- Interviewer: 'Them' being?
- Vic: The town people and the people at school.

Although various interviewees expressed varying degrees of distinction between a school and community response to the victimization of males rather than females, each one instinctively knew that there would have been a difference in the initial response, the pursuit of the perpetrator and the placing of blame. Each recognized that in the case of a



male perpetrator with male victims, the blame would land squarely upon the perpetrator while a male perpetrator with female victims would at least share the blame with the females, unless the females were entirely blamed. In either scenario, the male victims of male or female perpetrators were not considered at fault. The prosecution of actual cases of victimization reflected this belief as well with vigorous prosecution of male perpetrators with male victims.

Consider, in contrast, the reality of what happened when parents reported the victimization of their daughter to school officials:

Mother: Years later, [the wife] of the guys who was on the school board at the time - said to me one day when I was down shopping. She said, 'I told my husband - no, he had said - if that had happened to my daughter I would have killed him.' And then I just looked at her and I didn't say anything, but I thought, 'And now you can say something like that.' And all the school board members had kids, but nothing was going to happen to their own child, never, never. No, I think they just didn't want to talk, they didn't want to help us at all. We were really alone.

Father: I think it was like you said before [Mother], [he school board chair] was a dictator and there were just three other members.

Mother: He run the church and he run the board.

Comparable victimizations had occurred with the male and female victims. However, while the case of the male victim was pursued to the conviction of the perpetrator, the report of the victimization of the female victim was ignored at the school board level. More current cases have not exhibited major changes.

While the rationalization of "girls ask for it" excused communities and allowed victimization of females to sometimes go totally unpunished, the specter of homophobia was a signal for the communities to punish a perpetrator as much as possible. Further questioning during the interview indicated that the perpetrator knew that the predilection

of his fellow teacher was fairly common knowledge in the community, and his victimization had spanned a career of twenty plus years in the same community, but no action had ever been contemplated against him. As the perpetrator had stated, "our partners of choice," made the difference.

As the school system and perhaps the community (if the knowledge of the reporting spread beyond one or two people within the school) deliberated about the fate of the victims and the perpetrators, the expectations of the communities entered into the conclusions made on whether to believe the victims or the perpetrators, whether to keep the reporting within the confines of the school or, at most, the community, or whether to retain the perpetrators, dismiss them with a letter of recommendation or report them to the appropriate authorities for further investigation and possible legal action. Awareness of certain community expectations, for example the immediate punishment for homosexual activity, often eased the weight of decision from school officials. Cases involving females, however, needed greater deliberation and the decision quite frequently resulted in disbelieving the reporter as an administrator stated, "That one just went down the road."

#### Stage Four Decision - The Aftermath

In every case, whether the reporting was ignored or acted upon, the reporting resulted in changes in the school systems and the communities, and effected the perpetrators and the victims, parents and friends. The changes, of course, varied depending upon the course of action taken after each initial reporting. Some of those changes, in some cases over thirty years later, continued to exist, particularly in the lives of the victims. As the interviewees discussed alterations in their lives, relationships,



community status and beliefs, the interviews, at times were extremely dreary, and at other times, hopeful. No one, whether their role was major or minor, in the cases of victimization reported remaining unscathed. Each had altered their life somehow as a result of the role each had played in a traumatic situation. Some continued to regret their actions. Some remained defiant. Others carried guilt because of their inaction. Many retained the helpless, hopeless memories of their world out of control. All expressed relief that the first aftermath was over.

Assertion #4: The type of decision made can have an influence on the victim, school system and community for an extended period of time.

While the outcomes and the reasons for the decisions made differed in each of the cases, none of the people involved, nor the schools or communities, remained entirely the same after the initial reporting of victimization. In some of the cases, subtle changes occurred which perhaps would have been almost unapparent to an outsider. In other instances, school personnel were fired or jailed and victims were made villains or heroes while the communities remained divided. Members of all of the communities continue to harbor the memories, no matter what the initial reactions were. Those reactions have had long-lasting effects that, in some instances, may continue for many years to come. In very few instances have the effects been positive.

Subassertion #4a: The extent of the knowledge of the situation can determine what punitive steps may be taken.

In each of the cases, the final decisions to downplay the reporting and treat it as fantasy or of little consequence or to proceed with an investigation that resulted in

consequences for the perpetrators hinged to a great extent on whether the knowledge was widespread in the communities at the time of a reporting. This difference in the level of information corresponded with the level of action taken by the school officials against the perpetrators, particularly in three cases. In Valerie, Vonda and Virginia's cases, although there were some rumors among students, the parents were the ones who found evidence of an inappropriate relationship and went directly to school officials without sharing the information with anyone outside of their immediate family. In those cases, community members eventually learned of the reporting, which resulted in town gossip but school personnel had immediately decided to dismiss the reports and the rumors and speculation began later. In Valerie's case, her parents' decision to persist in petitioning school board members alienated school and community members. All three girls eventually completed their high school education in other schools because, in two cases their perpetrators remained in the schools, and in the third case social services moved the student to a new home outside of the community at the request of her foster parents.

In the case of the male perpetrator with male victims, the rumors were spreading throughout the community very quickly about "a teacher being caught with a half-dressed boy at his house." Then a parent started questioning her son about what happened when he spent time with this teacher, and began to call parents of other boys to tell them what she had learned. By the next day, several parents had contacted the principal and a police officer was in the school office. The teacher was immediately arrested and the principal notified state agencies. In the other case, the principal, having ignored a previous reporting and various rumors about the same teacher for over ten years, finally received proof of



victimization and pursued the arrest, conviction and loss of licensure of the perpetrator. .

In three of the cases the school officials decided that the best course of action, at least initially, was little or no action against the perpetrators. However, the effect that community knowledge can have was very apparent in one of those cases. A relative of Vonda's explained to me how he used community pressure to get the school board to, first of all, admit that a complaint had been filed, and secondly, force some form of action. He explained his strategy:

Anyhow, they had this public meeting. I don't remember all of the details, but the reason people became aware of [the abuse] was because I asked about it. They had this meeting with the board president, the board members - well, not all of the board members knew about it. The board president chaired this meeting and gave very little information and did not treat it seriously and he would not have told them about the situation unless I had asked about it. I had to ask him three times. And finally since he must have felt he was under a spotlight he finally said, 'Yes, we have had a complaint.' And I tell you what, a pin could have been heard dropping in that room, and it was packed, and I am convinced that if I hadn't persisted in asking the question, that would have never come out.

Shortly thereafter, although no reason was ever given for the resignation, a long-time teacher left during the school year. No further action was taken in the case.

In another case, where the perpetrator was eventually asked to resign, the superintendent was relieved when people from the community and surrounding area began to ask questions about stories that were going around the community. Eventually the other board members and the superintendent convinced the board chair that it was in the best interest of the school to ask for the resignation of the teacher, and the teacher resigned. During the interviews the superintendent expressed relief that the teacher eventually was removed from the system, but continued to worry about the activities of the teacher as he

went on to another school:

Having people from the community and outside who knew about what happened I'm sure forced the school to take some action. What little action they did take. I still wonder if they think just letting him go on to another school was the right thing to do? I heard one of the board members say they told the other school that he might be under suspicion. I really find it hard to believe another school would hire him if they really did know, but, hey, he's a good coach, right?

The case of the teacher with no action taken against him was an example of how a perpetrator could continue to victimize students for over thirty years. Led by information offered during interviews, I traced the trail of the teacher from our state, through other states and school systems, for over a thirty year period. When, eventually, I traced the teacher to his place of residence, I had information on the school systems where he had been, information on what had occurred in those school systems, but I wanted his thoughts on why he had successfully avoided exposure and censure for over thirty years. I talked to him for almost six hours. I found by putting together the information from him, written records, and information from school personnel in several school districts, the school systems' aversion to believing student reporting or taking any action if they perceived their response might reflect on them negatively was obvious. Although the school systems where the perpetrator had taught after leaving North Dakota were in six states, the actions of school officials were almost identical in all cases except for one. In that final school, in a state which has passed legislation which allows for a fine and imprisonment for school officials who "pass the trash," the teacher's "luck ran out."

While the parents of the first reported victim in North Dakota were told that "you can't fire a teacher in the middle of the year," although the parents were requesting his



dismissal in August, the teacher was dismissed three years later in December by a second school system in North Dakota. While he had continued to stalk the first victim, he was dismissed for "grooming" another victim in the second system. By that time, rumors also had surfaced that the first reported victim was not his first victim. In fact, he had come to the first reported victim's school after being asked to resign at another school. The perpetrator then moved from the state, and eventually taught in school systems in four other states, without recrimination, before finally losing his licensure in a western state. In each of those states, school systems were apprized of the victimization of students in each district and had asked for his resignation and allowed him to move on. Finally, in the sixth state, after an investigation by the state, he was arrested, convicted and placed on probation and lost his teaching certificate. The teacher victimized at least eleven students, although there may have been more. At the time of the loss of licensure, the teacher was old enough to begin receiving social security as well as teacher's retirement.

Meanwhile in North Dakota, the superintendent of the school where the parents reported the victimization was not rehired the following year "although we can't swear for sure that it was because of [the victim]," while the teacher remained an additional year. The newly hired superintendent protected the victim, although she was attending school in another community by, "calling [the other school's superintendent] to let him know the teacher had left school early and was on his way over [to that community] and to not let [the victim] walk home alone unprotected." The victim's friend who had championed her, tired of the rumors and "insatiable questions," opted to attend school in the other community also. The parents eventually moved from the community because, as the father

stated, "I couldn't believe that people I had known all my life could treat us like this."

In another case, much more high profile because a considerable number of people in the community knew about the victimization before a report of victimization was made to the school, I talked to the perpetrator about what had happened on the day he was arrested at the school, during school:

Perpetrator: I think everybody in town knew what had happened by nightfall. There were even students and teachers out in the hallway already when the cop took me out. How did they know what was going on? The only thing I can think of is either the secretary or a teacher who was out in the outer office while I was in [the superintendent's] office must have gone around the building telling everybody. I suppose it was big news in that place. Nothing much else exciting happened. But, as I said, I don't think there was a person in town who didn't know by sundown if they didn't know before. I think I might have been better off where I was, in jail, that night and not at home. I'm not sure what would have happened.

Interviewer: Do you think having the whole community know what had happened forced the school officials into doing something?

Perpetrator: I'm sure that had something to do with it — along with it being about boys.

The perpetrator served a lengthy sentence and also lost his teaching license. He remains on the state's sex offender list. The community supported the victims, who remained in the school system. In this case, law enforcement was very sure that school personnel were aware of reports of victimization and quite probably would have asked for the teacher's resignation. "But the ethical responsibility that would go with [not reporting], to allow a teacher to again move on to another school when they know some kind of investigation is taking place certainly leaves them open to some kind of civil liability." However, "at that time, in this state, we didn't go after anybody [for not reporting] and people didn't sue. If it was today, I'd do it if I had enough proof."



In three of the cases, the decision not to accept the report of victimization was made while the information was held by a small number of people. Even in those cases, after the information spread to additional school and community members, "adjustments" were made to the first response as school boards quickly or eventually asked for the teacher's resignation. In the two other cases, more information about the victimizations were known by community members before school personnel were asked to make a decision on the credibility of the report. The two cases ended in convictions.

Subassertion #4b: The immediate future of the victim and perpetrator can be influenced by the decision made by school officials.

The results of the reporting began, generally with the victims, almost immediately. Four of the five victims, as well as some of their supporters, transferred to other school systems because of the problems they faced with community opinion. Although the school systems all eventually released the perpetrators, in some manner, community assumptions about how "girls ask for it" and gossip led the girls to move away from their families to attend other schools. That move was the beginning of many changes in all of their lives precipitated by their victimization. Although the victims now are at varying levels of well-being, sometimes because of passage of time and perhaps counseling, each remembered events in their lives that would not have occurred except for a change of status to "victim."

One of the most traumatic reactions was related to me in a very matter-of-fact voice by a victim. She recalled the turmoil that had erupted in her life in her late teens and early twenties as she continued to be unable to cope with her victimization: "I knew [her then boyfriend] had a gun under his bed and I picked it up and starting playing with it, not

thinking in a million years it would be loaded, and at one point I held it to my head and, you know, I'm thinking, 'You are so stupid. Why were you putting up with it?' Finally I aimed at myself in the mirror and pulled the trigger and heard this 'boom.'" Fortunately for her, the mirror shattered rather than herself. She continued on in an abusive relationship, however, because "At that point, I didn't think I deserved anything better."

For another victim, the hardship began with the loss of her best friend as, "My best friend dropped out of school because she said the teachers were going to try some way to kick her out of school. I think she was a little paranoid so she never came back to school." In the meantime, the victim herself had been forced to move to another community and live with relatives because of community pressure. She completed high school but could not force herself to interact with other students and could not trust teachers. She moved back to her home, which she rarely leaves. She has refused counseling because, "I didn't really think that counselors could help me out because I lost my best friend over it and I had to go through something that I was really afraid to do. Lost another of my friends that year. Just de je vu every year. Not good." All of the victims expressed mistrust of friendship to some degree and equated their misgivings to the befriending of the perpetrators as they groomed them for sexual contact. Members of the opposite sex were particularly suspect for the female victims.

A victim spoke of "growing up way before I should have." However, she along with other victims also recognized the fact that this "growing up" caused them to revert to adolescent behavior later on in their lives. Another victim expanded upon this idea:

Virginia: I actually hit my adolescence when I was divorced in my late twenties.



Only then did I actually feel free from any adult in my life. Even though I was a parent it was the first freedom I felt. Actually growing up in a strict family was good for me to have those boundaries, but it might have been why I went into this relationship. It was part of my rebellion because I didn't smoke or drink or run around. You know, I'm always analyzing why. I don't think it couldn't help but affect your life in some way.

Interviewer: Do your children know any of this story?

Virginia: I don't think so.

Interviewer: What do you think they would say if they did?

Virginia: I think they would be outraged.

Interviewer: At whom?

Virginia: Probably at the adults who let it happen. They're quite close to my parents. I don't know if they'd understand. Now, these are kids whose own home life has been split up and have been through the wars, but they're very intuitive as to feelings and sensitivities. I don't know if they'd understand me. Why I got myself into that situation.

All recognized that their lives had been affected by their various forms of fear and rebellion, and, although the level of the fear of relationships, (particularly male) people, and types of rebellion differed, the lives they had envisioned for themselves before the victimizations had been altered by those acts.

The biggest issue for the females was their internalization of the placing of blame on them for the actions of the perpetrators. Although several had been in counseling and presumably had heard someone state that they were not the cause for the victimization, most of them remembered vividly the first years after the victimization when they relived their experiences and assumed they were the cause. They came to believe that they had "asked for it." While interviewing one victim, I read a part of a magazine article to her about victimization and the probability of a female victim accepting the blame. Then I simply said to her, "It wasn't your fault." She cried. When we resumed talking, she said, "For the first time, I do believe it wasn't my fault." A few weeks later, she talked to her

mother and father, for the first time, about the time of victimization:

Valerie: And I said, 'You know, Mom, I never wanted to talk about it because I always felt it was my fault,' and she just went, "Your fault!" She said, 'We didn't think it was your fault!' and I just went, 'Whew!'"

Interviewer: Why didn't she tell you that thirty years ago?

Valerie: I know. And when my dad heard me say that, Dad just turned into this - he said it was just like he relived it just like it happened yesterday. And there's still a lot of anger there. We were able to talk about it and Dad said he not only went once to the school board but he also called each individual school board member and talked to them. They said they just felt like there was no just cause to do anything. They just never understood.

The community's evaluation of the victim, rather than the perpetrator, was evinced in that conversation as Valerie had never heard her parents disagree with the community's conclusion that she was "asking for it." Previously she had no reason to believe that her parents did not agree with the valuation of the adult's worth over the child. She also had no reason to believe her parents had understood the loss of self-confidence and self-esteem she had felt as a child and adult because of those judgments. Fortunately, however, the conversation also became a vindication for the victim as she finally learned how her parents truly viewed her.

In three cases for the perpetrators, the short-term brought a few changes that disrupted their lives. These three were forced to find employment elsewhere because of the victimization. For two of them, uprooting families who had been involved in the life of the community was difficult while the third was single. For the other two, the consequences were harsher as they lost their means to pursue their chosen profession and both faced legal proceedings. Each accepted varying levels of responsibility for their actions. One perpetrator who was more severely punished seemed to feel that he was not at fault:



Perpetrator: When they called and I had to give up my certificate - physically hand it over — it hit me I wasn't going to be teaching anymore. My wife was gone by that time. She wouldn't let me see the kids. My mom cried every time I called home. I saw [the father] driving down the street and he gave me the finger. And, happy fucking day, I thought I was going to jail! I sure had a lot to live for.

Interviewer: Are you saying it was other people's - your wife, your mom, [the father] - fault that your life wasn't that good?

Perpetrator: Maybe, maybe not. I don't see that I did anything that bad. I didn't rape them or anything.

Even looking back after approximately twenty years, and having lost everything he valued, this man continued to deny that his actions were hurtful. Another perpetrator, after over thirty years of preying upon victims harbored bitterness for the school system that finally confiscated his teaching license, "Why couldn't they just let me move on again? I was getting too old to attract those young ones anymore anyway."

In none of the cases was there only one victim. Each perpetrator had either previously offended in the same school or another school system. Some had not been caught and some had been released with license intact. In the researched cases, most were not disciplined beyond a request for a resignation and moved on to offend again in another school system. If the school systems assumed the loss of a position was sufficient punishment to prevent the perpetrators from further victimization, they were wrong. Even in the case of one of the perpetrators who lost his teaching license, his preying field merely moved from within the system to outside the system as he garnered a position that allowed him to travel to various towns as a vender and meet school-age victims.

A good description of how a victim's life can be changed because of a victimization was given by the father of a victim who had sought answers about why his daughter had

changed dramatically after the victimization: "I talked to the head of the social services here about this and I think he said something basic, but profound, about this. He said it's like training a horse. If that horse has been messed with, it's never going to be a good horse, no matter how much you train, and it's like these girls have been messed with. They have been damaged by an outsider. And so they are going to carry that pain and dysfunction. You know the way he said it just says something. Children need to grow up sexual at their age without having interference from an outsider. You know, an adult."

Subassertion #4c: The life of the victim can be influenced for the long term by the decision made by school officials.

Several of the victims have lived many years with the shadows of the decisions touching their lives. For the older victims, some of the shame has abated but has never entirely disappeared. Most rarely return to the communities where they were victimized even if their families remain there. Most have had difficulty with people in positions of authority where they have worked as they do not trust people to support them. Those who have children consider themselves "overprotective perhaps, but if we don't look out for our kids, who will. They sure didn't look out for me."

From interviewing the female victims, I found out how accurate a statement made by the law enforcement officer was. He had stated, "One of the other things I was going to comment on was in the case of these charming teachers, the victims in the case aren't in favor of anything happening to the teacher when they're still young. It will come to a point when they're all going to be in a situation where they'll have a different opinion of the one that screwed them up." During the interviews each female victim, except for the youngest,



expressed a desire to have an opportunity to punish the perpetrator in some manner. Also during the course of the interviews, as we talked about their roles as victims, each one of them expressed a concern that she was probably not the only victim of the perpetrator. Voicing that concern reopened the frustration each had about the uncaring attitudes the school systems.

An emotion that had remained constant for years for the victims was fear. Most of them did not know where their abuser was and feared his or her return. After discussing this fear in the interviews, most seemed to realize the inanity of the fear, because of the passage of time and their status as adults rather than children, but before the fear was faced and discussed, most lived with their own bogeyman on a daily basis. Valerie's summation of her continued fearfulness was typical of all of the victim's expressed emotion:

Interviewer: When I say the teacher's name, tell me what the first thought is that comes into your mind?

Valerie: Fear.

Interviewer: What kind of fear?

Valerie: That he'll find me.

Interviewer: And what do you think he would do after all these years?

Valerie: I don't know what he would do now after all these years. I don't know if that was what made me so afraid of him, that I was afraid there was something mentally wrong. And that it would lead to harm. I remember Mom telling me now she knew how afraid I was of him. The community thought my parents were making me go [to another school]. They didn't. I was afraid.

Interestingly, when the victims spoke of the perpetrators, they continued to use formal address for them and would speak about Mr. So and So or Miss So and So. After living through some of the most intimate, invasive moments of their young lives with these perpetrators, the response to authority continued to be acknowledged through retaining the

formal identity of the perpetrators sometimes as long as thirty years later.

For the male victim, the shame had become extreme. Confusion of sexual identity, fear of trusting, and isolation from his various family members had taken their toll. He had escaped the blame of the community and had assumed he could simply move to where no one knew the past and he would be fine. For a while, this was true. However, the older he became the more questions about himself and his role in the victimization surfaced. A counselor identified this pattern of behavior and the thinking behind it as he stated, "We have so much of a North Dakota tough guy attitude. I've had way too many guys be uncomfortable about abuse to really talk to me. I've had more adult males come and talk to me about what happened when they were young. Teenage guys are in that mode where nothing hurts them. Usually I encounter it when I am dealing with someone who is threatening suicide and starts talking about relationships." While most of the female victims had "bottomed out" much earlier and had sought counseling, the male assumed he could "suck it up and get over it" until his fear and shame overwhelmed him.

Another shared emotion that arose, if it came, much later for the victims was anger. Some of the victims remained angry at themselves but others were angry with people in the school and community who could have and should have assisted them. As we were talking, Virginia described the day, almost fifteen years after her victimization, when she finally realized she had the right to be angry:

Virginia: These friends called me when they were back to attend a high school reunion. They called me and one of them said to me, 'You must be very angry about the abuse by [the teacher], and I said, 'No, I'm not.' But when I hung up the phone I started to get very angry and it was almost like I finally had permission to be angry. 'Yeah, you *should* be pissed



about this!' Then I did go through anger.

Interviewer: And you had never been angry about it before that time?

Virginia: No, because I felt so much shame. I always felt a lot of shame.

Interviewer: So you had to wait almost fifteen years to be angry about what happened?

Virginia: Oh, I buried everything. Not just this. I buried a lot. I guess I'm thankful that I lived to be this old that I can finally pull those things out. And my faith really helps me deal with it.

But the faith she spoke about was not the faith of the religion to which she and her parents had belonged when she was younger. Both she and her parents had discontinued their affiliation with that denomination because of lack of support from their home church. All of the family believed the congregation should have supported them while the family coped with the victimization of the daughter but instead most of the congregation had assumed the female victim was at fault and supported the teacher.

## CHAPTER V

### CONCLUSIONS, IMPLICATIONS, AND RECOMMENDATIONS

This study also hopefully laid to rest the hesitation and resistance of researchers to talking to the victims of abuse from school personnel. Nowhere in the studies of victimization by school personnel did I find in-depth interviews with victims. In fact, some, if they did address the issue, stated they had avoided interviewing victims because they were concerned about the mental and emotional well-being of the victims if they were asked to relive the situations. I found the opposite to be true. Every victim expressed his or her thanks for being able to talk to someone “who isn’t judging me” about what had happened to them. Many of them had never talked to anyone, in detail, about what had happened to them. Because of the interviews and the benefits they knew they had received from finally talking about the issue, some of the victims talked extensively with their parents and some with their spouses for the first time about what had happened to them and how the victimization had affected them. In some cases, we talked to the parents together. For all it was a time of healing and renewal. Valerie, who had assumed her parents had blamed her for the victimization and had never spoken to them about what had happened, reported the results of her conversation with her parents, “I think it was very healing for all three of us to talk about it. And I don’t think [my husband] knew the extent of it. It’s been an eye opener for him too. But I think the main thing was when my mother



said, 'Don't you ever think this was your fault.' Then when I realized all that they had done, I realized they had done everything they could to help me. And that made me feel a lot better too. I think maybe they told me that situation would never have been allowed if [a different superintendent] had been there in the first place." Unfortunately, thirty-four years had passed after the victimization before this conversation took place. Valerie and her family lost over three decades when they could have been close and supportive of one another rather than distant and lonely. Valerie also stated, "I could have never talked to them about it if it I hadn't talked to you first. Then I knew it wasn't my fault." Until we talk to the victims, and to the perpetrators, we may never understand why the victimization occurs and find means, hopefully, to prevent it, or at least learn to acknowledge it happens and deal with it in a professional manner.

This final chapter contains the conclusions of my study, based on the findings presented in the previous chapter, as well as the implications those conclusions hold for victims, perpetrators, and school systems. The final section of the chapter sets forth recommendations for further research.

### Conclusions

Until school systems understand the harm they have inflicted, and continue to inflict, on students who have been sexually abused by school personnel when they have refused to believe their reporting, thousands of students will continue to be abused for a second time by the very people who should be protecting them. Although in this study cases which were researched spanned an almost thirty-five year period, very little change was noticeable in the manner that the five school systems reacted to reporting of sexual

abuse of students by school personnel. As the impetus for this study was to determine how systems reacted to allegations of abuse, the focus was on cases that could be documented as having occurred regardless of the acknowledgment or disavowment of the cases by the schools at the time of the victimizations. In fact, four of the five cases researched would not be included in the study if the criterion had included recognition of the abuse by a school system. Through the qualitative research process, these cases were documented by school personnel, community members, family members, friends of the victims and perpetrators, and various forms of written documentation. People who, at the time of the reporting and subsequent action had sometimes denied the victimization had occurred or had blamed the victim for inappropriate actions, were willing to discuss their knowledge of the abuse and their reasons for responding to the reporting as they had.

Repeated verification of incidents and actions by individuals with little or no contact for long periods of time reinforced the validity of the claims of victimization and offered independent insight into the reasons for the school systems' responses. Also by studying cases that were spaced over a longer period of time, I could observe how decisions to ignore or to acknowledge reporting of abuses had made significant impact on victims as young adults and up into their middle adult years.

My first conclusion is that the school systems did not react well to the reporting of sexual abuse, particularly of female students, by persons from within their systems. In most instances, the reaction of the schools was to deny the abuse had happened or to blame the students who had come forward with the report. The persons who were named in the reporting frequently garnered the support of the schools while the victims were discounted,



at best, and denigrated, at worst. The repetition in the actions taken by schools from the earliest victimization to the latest was echoed throughout the interviews with people involved in every case exclusive of the one study involving the male victim. Therefore, the likelihood of reports of victimization of students being mishandled was high as the predominant victims of choice of school personnel were females (Bithell, 1991; Wishnietsky, 1991; Shakeshaft and Cohan, 1993; Stein, 1993).

Until persons in positions of decision-making in our State's schools are willing to acknowledge that victimization of students does occur and that the victimization has serious ramifications for the well-being of our students, there will continue to be cover-ups and support will be given to the perpetrators as their actions are either ignored or treated lightly. Furthermore, the students who are brave enough to report will continue to be made victims for a second time by the schools and communities as they are disbelieved and spurned. Due to this stance that has been taken by schools in all fifty states, nationwide studies have shown that a small percentage of students who are victimized report what has happened because they do not believe the schools will do anything to assist them (Wishnietsky, 1991; Shakeshaft and Cohan, 1993; Stein, 1993). This study has uncovered no information to show that, particularly for female students, this belief is not valid. Nor did the study find that the response of schools to allegations of school personnel victimizing students has markedly changed within the last thirty-five years.

More specific conclusions gleaned from the study and offered in the framework of the stages of decision-making and the assertions discussed in those stages follow:

#### Stage One - Victimization.

- (1) School system personnel chose to ignore the evidence of possible victimization of students which emerged in the form of rumors, reporting by classmates or friends, and simply their "gut instincts."
- (2) Traits of the students (shy, vulnerable, naive, etc.) which lent to their victimization entered into school personnel's discounting reporting.
- (3) Family dysfunctions leading to the selection of victims led school personnel to discount reports of victimization or place the blame on the families for rearing children who would seek the attentions of the perpetrators.
- (4) Observed unprofessional conduct by members of school systems such as breaching the students' trust in confidential situations and accusing students of lying or making false reports deter students from believing schools will act upon a report of victimization.
- (5) Knowledge on the part of the victims that personnel within the school know of the victimization and are silent deter students from reporting the victimization.

Stage Two - Accept or Reject.

- (1) The acceptance of the image of females as predators who "ask for it" many times clouds the reality of victimization of female students by male adults in school systems.
- (2) The findings in this study agree with other case study findings that males were more frequently believed when they reported abuse and were accepted as victims without being considered to have "asked for it."



- (3) Many predators were high status members of their schools and communities which led to the disbelief of the report of abuse, particularly by female students.
- (4) Perpetrators frequently cultivated their fellow staff members to insure they would have more credibility with them than their victims.
- (5) Small, close knit communities frequently supported the perpetrators over the victims because of the status of the perpetrators as educators and the lack of status of the chosen victims.

#### Stage Three - Type of Action.

- (1) The value of female students was discounted by school personnel and communities as they were less frequently believed than male students if they reported victimization or were perceived as the instigators of relationships.
- (2) The devaluing of female students was carried over into the punishments meted out if the students were believed with perpetrators simply reprimanded or allowed to resign in most cases.
- (3) If the male perpetrator with female victims was convicted, his sentence was for a shorter period than with male victims, often with much of it suspended.
- (4) In the case of homosexual activity, the male victims were immediately believed and the perpetrator was turned over to the appropriate authorities for punishment.
- (5) Communities generally supported the male victim of homosexual activity

without question but often did not support female victims unless and until the perpetrator was tried and convicted..

#### Stage Four - The Aftermath.

- (2) Victims were frequently forced to leave their home schools and communities because of the actions, or inaction, of the school systems, community reactions to the reporting, and often the perpetrator remained in the system.
- (2) Fellow students, parents and family members became casualties of the school and community reactions to reported victimizations.
- (3) Despite being required by law to report allegations of victimization schools frequently did not acknowledge an abuse had occurred and decidedly did not offer support, such as counseling, to the victims.
- (4) Victims who were disbelieved and not assisted by school systems had long-term, negative effects that often hindered their quality of life.
- (5) Unless a school system was willing to take steps to insure a predator was barred from being in a school setting, it was almost inevitable that the perpetrator would continue to prey upon students.

#### Implications of the Study

##### Implications for female victims within the school systems

This study, with cases spanning thirty-five years, found little or no difference in how school systems responded to the victimization of females. The reports of victimization of females were either discounted or ignored. Even though the parents or an adult



representative attempted to report the abuse, the systems' responses were to either ignore or downplay the report. The victims and their families were essentially called liars and/or troublemakers. This was the official attitude of the systems' while individuals in the schools and in the communities talked about how the girls had "asked for it." These results were consistent with Shakeshaft and Cohan's findings (1994) and Stein's (1993). Shakeshaft and Cohan reported "students who reported same-sex abuse were more likely to be believed and to be judged as harmed more severely than students who reported opposite-sex abuse. This pattern is clearly related to the way female accusers were treated, because the large majority of abusers of students of either sex are males" (p. 517). Females as young as 12 and no older than 16 were portrayed as the pursuers of innocent adult males in the community rumor mills. Three of the girls came from very strongly religious homes and the attitude of the families toward the females devastated the families and shook their faith in the goodness of their fellow congregants. In all of the cases, no one was prepared for the rejection and judgment of the school and community members.

School personnel, relatives and community members frequently blamed the victims for seducing the male perpetrators. The mother of one of the victim's was shocked to learn a woman in her church was not willing to listen to the mother's account of what had happened between her daughter and a male teacher. Another girl was told she was "dirty" because she had let the male teacher touch her. Vonda was told by a teacher that it was her fault that the "school has lost a good teacher because of you." Valerie thought for over thirty years that her parents blamed her for her victimization but was too ashamed to ask them if they truly did. In every case, including the male victim's, the victims were told

repeatedly that it was their fault that the victimization occurred. Thorne-Finch (1992) traced high levels of blaming when sexual offenses occurred to "conservatives [who] place considerable responsibility for men's failings - and presumably their violence - at the feet of women who have somehow failed to understand, accommodate, and lovingly correct the frailty of men. This belief underpins most battering and sexual assault myths" He also asserted that this rationalization " absolves men of their responsibility for their crimes of violence and blames women"(p. 202). Ford and Medway (1994) showed that "respondents who held more traditional views of women were predicted to blame child victims to a greater extent compared to those respondents who held less traditional views of women"(p. 5). The results: "Non-traditional women assigned less blame to the child" than any of the others responding to the study (p. 6). The same study also revealed that the more conservative males in the group "differentiated between the male student/female teacher pairing and the female student/male teacher pairing" by seeing "little or no psychological harm" with either scenario but especially not with the male student/female teaching pairing (p. 60).

Because of the lack of support from their schools, in fact, in two cases the reported perpetrators remained in the schools and the students were forced to remove themselves from the schools. They moved in an attempt to escape the ridicule of fellow students and school personnel who blamed them for accusing an adult male of victimization. This phenomenon was consistently reported as well by Stein (1993), Wishnietsky (1991), Bithell (1991) and Shakeshaft (1995). One family, with roots in a community of four generations, moved because of the father's bitter disappointment in the non-action of the school system



and the reactions of the community. The girls and their families were victimized twice.

The one case in which a male perpetrator of a female victim went to trial ended in the perpetrator being convicted of the crime against the student. However, in spite of the conviction, he did not have to serve any of his sentence. He was placed on probation. Placed against the conviction of the male perpetrator with the male victims, his sentence pales in comparison. The male perpetrator in that case was sentenced to over twenty years and served almost fifteen. Both perpetrators' teaching licensure was revoked. In checking the North Dakota Registered Sex Offender List (Bureau of Criminal Investigation, 2001), the list of over 1,000 offenders shared a similar pattern. In cases with known male perpetrators and male victims, sentences were usually from 10 years to the longest of 120 years. The average sentence for known male offenders of female victims was two years with most serving 6 to 18 months. The two females on the list were on probation. In some cases, the sex of the victim(s) was not known.

Taking into consideration that only 1 in 4 of the cases with female victims went to trial, if these numbers are anywhere near accurate, the actual percentage of perpetrators who are convicted is minute. Thorne-Finch (1992) estimated that of the total number of men who victimize females, only 2 percent are charged and only 1 percent are convicted. His finding that very rarely is a perpetrator arrested for his first victimization also is in line with the findings in the cases of the five female victims. Information revealed either by perpetrators, school systems or court records during the data gathering process confirmed that prior victimization had occurred. In the cases where I was able to locate the perpetrators, they offered information of additional victimization.

Rhode (1997) called the disbelief of a victimization occurring, being "victimized twice - first by an assault and then by the disbelief, blame, and stigma that usually comes when the victim reports it" (p. 124). All of the female victims expressed, in their own way, exactly those feelings. Each of the girls had made the assumption that the system would take care of them and care for them. Vickie said about testifying at the trial that she felt like it "was happening all over again." Family members talked about similar emotions as they went through the rejection of the school systems. One father said he felt he "was impotent, and helpless as I tried to find somebody who would do something."

#### Implications for male victims within the school systems

In this study, the case of the male perpetrator and the male victim was followed. However, the participants in interviews also gave us a view of what would happen in a female perpetrator and male victim as well. The prosecutor told us that most members of the school system would give the boy a "slap on the back" and tell him "good job" for having sexual intercourse with an adult female. The situation with the male perpetrator and male victim, however, was met with scorn and derision. The school system not only believed the male student but cooperated to the fullest extent with state officials to prosecute the perpetrator and to support the victim. What would make such a drastic difference in that case?

Finkelhor (1984) stated that "the abuse of boys is common. Boys and their families need public assurance that boys are not at fault for such abuse and that such abuse does not mean that the boys will become homosexuals. However, the reporting of abuse of boys has deep roots in sex-role stereotypes and homophobia that will not be easily changed short of



a direct assault on this attitude. Boys will be less likely to report abuse as long as being the victim of a sexual assault is a threat to masculinity" (p. 231). The school system immediately recognized that the community would be incensed because of the homosexual connotations of the case and began damage control immediately. The victimization of males was a power issue to which the school had to respond immediately. The perpetrator was imprisoned immediately; the boy received counseling and support from the school and community and the fear of homosexual activity was stemmed. Shakeshaft and Cohan (1995) confirmed this pattern from their study as "superintendents seemed to consider abuse of males a more serious offense. [They] discussed cases involving males at greater length, knew more details about them, and reported that they pursued their investigations of these cases more energetically" (p. 517). Levant and Brook (1997) determined this reaction by males probably stemmed from the ingraining of "[m]ale socialization patterns in our culture, the stresses involved in attempting to live up to a traditional masculinity ideology, the shame attached to being perceived as not 'male enough,' and the patriarchal power dynamics underlying our social and political institutions" (p. 134). Interestingly, the young male victim did not question his masculinity or sexuality until he had been told by "concerned people in the town" that he might be homosexual because he had been chosen to participate in homosexual acts.

The male perpetrator recognized the difference in his status as he had compared himself to another teacher in the same system. Many in the community knew about the relationship of that teacher with a high school girl but no one appeared to be overly upset about the relationship. In fact, the other teacher was confident enough that there was

sufficient distinction between his relationship with a female student and the perpetrator's relationship with a male student, that he was comfortable coming to the trial to observe the proceedings. In actuality, he could have been in the same position in the court house that the perpetrator was. Shakeshaft and Cohan (1995) would have recognized this teacher as "romantic/bad judgment abuser" who would not have recognized that he was doing any harm "since the student was doing what he or she wanted to do" (p. 516).

The sentence for his perpetrator was somewhat lengthier than the average sentence given to perpetrators of male victims in North Dakota. Furthermore, he was the only perpetrator in the five cases who was incarcerated. By contrast, the prosecutor cited the fact that only one case of a female educator with a female victim had been carried forward in our state. In that case, the female educator pled *nolo contendere*, or no contest, and received probation, agreed to have no further contact with the victim and surrendered her teaching certificate. In that case, homophobia did not seem to be a problem.

#### Implications for Perpetrators Within School Systems

In most of the cases school systems were very good settings for perpetrators in which to victimize. They were often protected by their peers and championed by the communities. This may be somewhat understandable as the perpetrators admitted they were as careful to cultivate their peers as they were to choose and cultivate their victims. Shakeshaft (1995) reported, "School staff who have worked with the accused or who know the accuser often make judgments about the truth of the allegations, based not on findings or an investigation but upon their past experience with those involved" (p. 26). Imagine how torn a fellow teacher or counselor would have been if a student had confided



to them that one of their fellow teachers, a friend, was molesting that student or one of the student's friends. Even while students feared teacher retaliation (Regotti, 1992), teachers feared the wrath of their fellow teachers, administrators, school board members and community. Jame and DeVaney (1992) maintained that the "legal statutes may not constitute sufficient encouragement (support) to accept responsibility for reporting a colleague. In schools, as in families, personal loyalties and fear of recrimination may override legalities" (p. 261). Collier (1991), in describing some of the most selfish behavior in the United States had, as his third issue, "Far too frequently Americans believe that the law simply does not apply to them" and "they have a constitutional right to break the law" if, in their judgment their need is great. His conclusion: "And that is what this unceasing concern for the self has done to *itself*" (p. 259).

The school administrators and school boards considered their schools' and the perpetrators' reputations a priority. In many cases, the perpetrators were well-liked, long-lived members of the communities while their victims were lower-status members. Shoop (1999) called this "misguided loyalty" where "school boards and administrators are so concerned about their district's reputation that they just want the problem to go away. Not only does this behavior contribute to the under-reporting of teacher sexual abuse of students, it allows the molester to move to another district and continue to prey on children" (p. 11). From my follow-up on perpetrators who moved on to other districts, Shoop's belief that the perpetrator would victimize again on was accurate.

The term "cover-up" was repeated during interviews with victims, counselors, parents, perpetrators and the prosecutor. Parents particularly were convinced that school

administrators wanted to hide what had happened. Their belief in a cover-up of victimization was shared when a study by McIntyre (1988) confirmed that over 50% of the teachers surveyed believed that a report of victimization by them would not be acted upon (p. 16). If the victimization was reported, frequently the "superintendent and principal [would inform the teacher they would] investigate reports themselves with the primary aim of keeping a lid on scandal" (Graves 1994, p. 26). Although direct admission for motivation of concealing victimization was scant, when Wishnietsky (1991) informally interviewed administrators about their reluctance to participate in an anonymous survey on the extent of abuse in schools, "the administrators said that they were apprehensive about what facts would be discovered" (p. 167).

In all of the cases, the administrators were all male and most of the members of the school boards were male as well. The responses to the victimization were probably affected by this fact. Valerie's parents repeatedly stated they thought the reason their daughter's victimization was not believed by school officials was because the administrator and the school board members "were all men." A female school board member also voiced her opinion that the reason she became a "scapegoat" was that the school board chair and most of the other members were male. In one school, all of the secondary teachers were male and, while eyewitness reports of participants confirmed that most of the teachers were aware of the victimization of the student, none of them reported the victimization. An answer for why this could occur was researched by Smith, Fromuth, and Morris (1997) and they concluded that in the cases of female victims and male perpetrators "men viewed this as a more positive sexual experience for the student than did the women. Similarly,



men viewed this event as having a more positive impact on the student's sexual attitudes and as less psychologically harmful than did the women" (p. 56). The women "viewed this as a more serious situation and were more attuned to the exploitative nature of the relationship" (p.59-60). The reaction of the males to victimization of a male by a male perpetrator was described as "calling into question one's own masculinity" (p. 60).

The accuracy of the students' understanding that they would not receive support from teachers or administrators if they were to report their victimization, and their unwillingness to trust school counselors, teachers or administrators to respect their confidence was critical in determining whether the students were willing to report their victimization. The students recognized their status as outsiders in an adult world and assumed an accused teacher would be defended by his or her peers and fellow students. Shakeshaft's (1995) study agreed with their intuition as she reported her four-year study "documented a pattern of intimidation of students who report abuse by staff" (p. 27). Also, from conversations the students overheard in hallways and classrooms, while not necessarily about themselves, informed them that information shared by students with a teacher or counselor was not kept confidential. One victim, who had decided to confide in a teacher she thought would listen to her, was deterred from taking that action by overhearing that same teacher discussing confidential information about another student with the teacher who had been abusing her. The only mention of this concern (although the cases I researched were laced with this complaint) was the statement by Spirito (1994) that cited the need for "respect for the confidentiality" of students as well as "a sensitive response to the complaint" as a priority if schools were to learn to respond appropriately to

students' reports of victimization (p. 37).

### The Lasting Effects of Schools' Responses

The lasting effect of the school personnel and the communities laying the blame for the victimization on the females was very apparent. In fact, the older female victims had internalized the blame wrongfully placed on them by their communities, to the detriment of their emotional and physical well-being. Each of the three older female victims at some time during the interviews made the point that she could not remember events, and sometimes the people, who were a part of the time of her victimization. The more traumatic the event, the less likely the revelation that it had taken place would first come from the victim. Sometimes her friends were the first ones to speak of something they knew had happened, sometimes the parents would remember. When I asked the victim, she would say she thought something had happened, but could not be sure of the details. Her response was generally to tell me to ask another person about the details. Valerie would then ask me to tell her about what the response had been. The other two quite frequently did not think they wanted to know. Thorne-Finch (1992) encountered the memory loss phenomenon quite frequently among his patients and stated many women "are compelled to block not just their feelings, but their entire memory of the event, or they may choose to 'space out' or withdraw - even to the point of creating alternate personalities to deal with the abuse" (p. 35). He also states, "Told often enough that one is worthless, one will begin to believe it. We know this from research on concentration camp survivors, child abuse cases, and from basic learning theory. Subsequent acts of abuse only aggravate the damage to a victim by reaffirming the message given by earlier perpetrators" (p. 37). The two



oldest females had been through abusive first marriages and other abusive relationships which they had accepted as their due because they "didn't deserve better than that."

Although the self-blame had lessened over time, lingering traces still remain. The third oldest female has continued problems with believing she deserves to be treated with respect by men. Hopefully the youngest will not internalize the blame as she continues counseling.

Lewis (1992) subscribed the laying of blame on these victims as "these individuals are attempting to avoid blaming themselves. I strongly suspect that individuals who characteristically blame others for failure and praise themselves for success suffer from narcissistic disorder" (p. 69). To need to place the blame on the females, the communities and schools had to recognize their roles in perpetuating the myth of the female students being the aggressors. As for many reasons discussed previously, the school systems and the communities did not want to accept the responsibility for the victimizations of the female students. For the most part, their reputation and the protection of an adult member of their community were more important to them than the well-being of their students. In 1984, Wallach and Wallach contended that people who selfishly wanted to retain their own status even though "innocent persons might be seriously harmed" were "obliged to argue that there would not in fact be serious harm, or that what is to be gained is so significant that it outweighs the harm, or that the persons at issue are not really innocent" (p. 269).

For school systems to overtly or covertly charge their students with being the ones who "ask for it," they needed to value their reputations and protect the adults in their systems more than they valued their students as they had good reason to believe the

students would be sanctioned by members of the community if the students were perceived as the aggressors. However, Spirito (1994) rejected this tactic as he found the respect of the school system was raised by keeping the media thoroughly briefed throughout two investigations, and subsequent arrests and convictions, of two very popular teachers in his school system. The cases, which would have been "tantalizing to the media" if he had tried to hide the situations from them, were followed and reported upon with respect and with words of admiration for the superintendent and school board who could have been named the villains (p. 36).

Although the male victim did not initially blame himself, as he listened to people in his school and community question whether he would become a homosexual, or if perhaps he could have possibly been chosen by the perpetrator because he was a homosexual, self-doubt and self-blame eventually became a part of him. He began to question whether he would be capable of a heterosexual relationship. His response was been to become celibate, after some exploring of both homosexual and heterosexual relationships, because "I don't want to know for sure if I'm a homo or not." He remained angry with people he had at first appreciated as they had comforted him and assured him "it wasn't my fault." Lewis (1992) found this to be a typical response of a male victim of a male perpetrator who "[was] more likely to experience guilt than shame, and when they do experience shame, are more likely to transform shame to anger, while women are more likely to experience shame than guilt, and tend to transform shame into depression" (p. 176). Although Vic has moved a considerable distance from his home community, very few of his days are "voice-free." By this he meant that he continually remembered what various members of the school and



community had said to him while they tried to assure him "it wasn't my fault."

Although the school systems might not have thought they had lost anything, conversations with people who had been involved in the cases thought otherwise. First of all the school lost revenues as students were forced to remove themselves from the schools to either avoid their abusers as they remained in the systems or to escape the wrath of the staff and students. In two cases, not only the victimized students per student payment was lost, but additional student revenues were lost as supporters of the students were forced to leave the systems as well. In one case, a system lost not only the victim as a student but her siblings as well as the family moved from the community. For small towns particularly, per pupil payment loss had to have been very detrimental to the systems. An even greater loss, however, continues to exist, as former and current residents of those community retain the memories of the strife. In Valerie's case, only one classmate remained in the area. The class had its latest class reunion in a larger town nearby rather than "give revenue to that town" as one of her classmates said.

Other school systems and other victims were also effected by the decisions of the school systems that chose to ignore the perpetration by their teachers. In three instances, the perpetrators were allowed to remain in the teaching profession, and through that choice, continued to have access to students as prey. All three of the perpetrators victimized more students. At least one, and more likely two, victimized another student in the same system before moving on. One admitted to victimizing at least twelve students before his license was finally revoked. The first school system had it within its power to stop the perpetration. Instead the perpetrators continued to exercise their power as "the

student is being 'exploited',” that is, *used* for the sexual gratification of the teacher [in] a clearly inappropriate relationship. It denigrates the educational process, which is supposed to teach (and therefore model) ethical and enviable behavior. [The student] learns that [the teacher] has used his/her position to gratify his/her own desires and he leaves in his wake disappointment and emotional pain” (Friedman and Boumil, p. 39) This same statement could also apply to the school systems that exploited the innocence of their students by turning them into victims a second time when they refused to believe them. They chose to place their desire for an unsullied reputation and the protection of the adult perpetrator above the emotional pain they caused to their students while sentencing additional students to victimization.

#### Confirmation by Educators

As I wrestled with the negative picture of how school systems could treat students, I wanted to know how education practitioners identified a “professional” or an unprofessional person in their chosen field. What sets them apart from their fellow educators?

In an effort to answer these questions, I asked five K-12 educators in North Dakota how they would answer these questions. Four were classroom teachers. One was employed in a school in a non-classroom function. Three were parents with children in the school system at the present time or recently. Two were recommended as outstanding examples of professional teachers. The non-classroom person had numerous opportunities to observe many teachers over an extended period of time. The most veteran teachers had over thirty years in the classroom and the newest teachers had approximately ten years in the school



systems. Some of the teachers had taught in both public and parochial schools, all were from separate districts, with the districts ranging from large (in North Dakota terms) to very small, in different areas of the state. They were elementary and secondary teachers, regular and dedicated classroom, and content specialists. The gender and ethnic make-up of the group approximated the percentages in the educational community in our state.

### The Results

All five participants agreed that the most important characteristic of a professional was a love and concern for students. Most put it in the terms of "caring." This term encompassed the physical, mental and emotional needs of students. One educator stated, "Most teachers don't realize the power, for good or bad, that a teacher has during the time a student is in his or her classroom. Teachers should think carefully about how that power has to be used to nurture kids, not harm them."

All of the educators talked about the need to understand students and adapt lessons, if necessary. All expressed concern for the "average" student in the respect that this was the child that would suffer from the attention taken away and concentrated on the needs of higher and lower achievers.

The educators voiced their opinion that if a teacher was a professional the student should be the priority of that person. Several of the educators scoffed at the awards systems that had been set up in some communities to recognize educators because, "those awards are recognizing the wrong thing. Go into the teacher's classroom and see how he or she teaches and how much they respect students, then give the reward to the best teacher for their treatment of students. THEN, I would want the award."

In terms of the external forces that made kids less than priority, each educator voiced frustration with money decisions that were made that did not directly benefit students or deterred the teacher from getting the best assistance for students. Frustrations with school boards were high on the lists of the educators as they viewed school boards as listening to the administration, perhaps, but not to the faculty at all. They felt that the people most involved in the education process, who could give the best insight into the needs of students, were largely ignored.

Administration, for the most part, was viewed as an outside power as well. Each of the educators acknowledged that administration generally was not viewed as an assistance to a classroom teacher. There were few enough exceptions to this, that for each interviewee, one, or, at the most, two administrators stood out as a support and an aid.

Again a unanimous trait was identified as the interviewees talked about "respect." They stressed the need for a professional to respect the students, the parents of the students, fellow teachers, and themselves. All felt strongly that the very essence of the school experience would be lost if this element were missing. Respect for students was indicated by, "listen to what they have to tell you about what you may or may not be doing that is helping or hindering them in the classroom," and "treat all kids with equality and do not cater to or dismiss a student because of their socioeconomic standing."

Respect for parents came into conversation as the educators applauded the efforts of school systems to include the parents in more parent-teacher conferences, telephone calls for positive feedback as well as negative information, times for the parents to be in the classroom and encouraged drop-in visits.



All of the educators concurred that at some point in their careers each had experienced derision, and sometimes outright ostracism, by fellow faculty members because they were going to continuing education classes, trying new ideas in their classrooms and getting the students interested in projects and learning. Several of them stated they have retreated to their classrooms and spend most of their day either by themselves or with a few colleagues because of the remarks that have been made to them, or because of the indifference of school administrators to requests for support from the attacks. Most had a trusted teaching companion who has similar characteristics and the two supported one another. When I asked if the interviewees would go into teaching again if they were to start over in their careers, two of the five indicated they would not. The other three said they would try it again but probably wouldn't remain as long if the same level of support was offered.

To check out the positive description of an educator, I asked them for a description of an unprofessional educator. The general description for an educator who was unprofessional, according to the interviewees, was someone who was lazy, worked only as long as was required by the school system, refused to work on committees or was an obstruction to committee work because of complaining, taught the same material over and over with no attempt to vary information or learn new methods of instruction, spent a considerable amount of time in the staff room while complaining about how hard he or she worked and how students would not learn, and read the newspaper in faculty meetings or required staff development times.

All of these characteristics were upsetting to the educators, but the action cited by

each one as unforgivable, was cruelty, in any form, to students. Yelling at students; ignoring the students' needs; put downs; physical, emotional or mental restraint of any kind; mimicking; sarcasm; comparing one student to another to one student's detriment; using foul or obscene language or sexual innuendo; laughing at a student's discomfort; and using the educator's position as power over students were given as examples of cruelty that the educators had seen used by other teachers or had experienced as a student. All of the interviewees concurred that any educator who used these methods was not fit to be in either a classroom or in an administrative position in a school system. Unfortunately, each could give at least one example of such an educator either in the school they were now in or had memories of such a person from previous systems. In the cases where cruelty existed, the interviewees all mentioned that they did not believe that the educators could be defended in any way.

All five believed that the system protected educators who should not be allowed to remain in classrooms. Interestingly enough, they supported some form of merit pay to reward those who were doing a good job in the classroom, that is, if a fair system of giving out the money was worked out. Most did not trust the administration to be the mechanism for such a system because of their concern for the "good old boy system" and "the rewarding of friends and not competence."

### Conclusions

For all five educators, the priority had to be the well-being of the students. Everything else in an educators' lives had to be secondary to the requirements of the students, and by extension their parents, as they were also clients. They advocated for a



method of screening out those who do not believe this to be true.

Trying to determine how the interviewees would rate themselves and their fellow educators, I asked each one how many people in their school would they consider to be professionals. When I asked one interviewee what percentage of educators in her school would probably meet the definition of professional, the interviewee paused, looked down at her folded hands, and said "Less than thirty percent," and began to quietly cry.

### Recommendations

School systems need to be encouraged to admit that sexual abuse of students by school personnel does happen. Shakeshaft and Cohan (1993) estimated that at least one-fourth of school systems at some time will have to accept the fact that someone on their faculty or working in another capacity in their schools has abused one or more students. Rather than worrying about the reputation of the school system or putting the reputation of an adult first, the school systems need to recognize the fact that most of the reports of victimization have a basis (Wishnietsky, 1991; Bithell, 1991; Stein, 1993; Yaffe, 1995; Henlie, 1998). Because of the lack of trust on the part of students that school systems will believe their reports of abuse and do anything in response to that report, researchers prognosticate a maximum of 7 percent of the actual cases are now being reported (Shakeshaft and Cohan, 1993). As students and their parents are bringing more and more law suits, with Title IX as the basis, school systems are going to lose both morally and financially unless they are willing to uphold their legal responsibilities.

To ascertain the extent of the problem of sexual abuse of students by school personnel in North Dakota schools, a well-constructed, quantitative study should be

undertaken. The study should focus on getting responses on abuse from former and current students in our K-12 schools, both public and private, and the people who work in our systems, both licensed and support personnel. Based on her research Bithell (1991) estimated that 1 percent of the elementary students and 3 percent of the secondary students in our school systems have been abused by someone in a position in our schools and that 5 percent of licensed school personnel have abused students. Applying these figures to our state, using the number of students enrolled in North Dakota schools this school year (117,329) we might have as many as 780 elementary students and 1,100 secondary students who have been sexually abused by 533 (10,669 licensed) school personnel now serving in our school systems. This abuse could range from suggestive comments to inappropriate touching to intercourse or oral genital stimulation. We cannot deny or confirm this figure at this time because no study has been done to verify or vilify these numbers. The actual figures cannot be known without an impartial study.

Screening for potential sexual perpetrators should begin before students begin teacher education programs in our colleges and universities. Background checks should be put into place for potential candidates. The psychological well-being of the candidate should be examined as closely as their grade point average with an instrument selected by individual programs. Once the candidates are accepted into the program all students should be required to participate in a class where information on how to identify signs of sexual and physical abuse they may observe in students as early as during their student teaching and also later in their classrooms as they enter the teaching profession. The programs should also include information on the legal responsibilities of the teaching profession to



report cases of sexual and physical abuse as well as information on what constitutes unacceptable behavior on the part of a teacher toward students. The North Dakota Educators Code of Ethics should also be a part of the study.

School counseling programs should also focus on their students' learning the signs of abuse and the legal responsibilities they have. Oftentimes the counselor is the key person in a school system in whom students will choose to confide, if the students will confide in anyone in a school. Minard (1993) called a good counselor "crucial" to the stemming of child sexual abuse, wherever it may occur, and added, "A counselor should be aware that the implementation of a sexual abuse prevention program usually generates an increase in the number of cases reported. Students who were previously unable to define what was happening to them are given new knowledge and understanding that will empower them to tell someone they trust. Teenagers who report abuse have usually been victimized for years prior to reporting (p. 13). The counselors should be prepared by their programs to establish good prevention programs for their students.

School systems need to take advantage of all state laws for background checks and complete detailed background checks in addition to fingerprinting and records checking. Only newly licensed educators in the state of North Dakota are fingerprinted and there is no requirement for fingerprinting for ancillary personnel. Anyone in a hiring capacity within a school system should be encouraged to do extensive background checks on anyone the school district may contemplate hiring for the safety of the students in their system and to avoid legal liability, if, in fact, an employee who is hired without a verifiable background check would sexually abuse one or more students. "Today students are successfully

holding districts liable for teacher sexual abuse when evidence exists that shows negligence in hiring, supervision, or retention of a teacher" (Regotti, 1992, p. 255).

For teachers who are in the field without having had an opportunity to receive the information that, hopefully, pre-professionals will receive in their college studies, in-service should be given. In a study, Kleemier (1988) found that although most teachers agreed that they thought that they should report suspected abuse, only 34 percent thought they would recognize signs of physical abuse and a mere 5 percent reported they thought they would recognize sexual abuse (p. 556). School personnel need inservice opportunities to learn how to recognize abuse and the appropriate ways to report suspected abuse.

School systems need to establish policies on appropriate and inappropriate sexual behavior by school personnel and students and enforce those policies. During this study, I asked the participants about their school policies: Were they aware of a policy outlining acceptable and unacceptable behavior in their schools either from students or school personnel? Did they know the appropriate procedures for reporting unwanted or unacceptable behavior either by students or by school personnel? If they were employees in school systems, did they know their legal responsibilities for reporting suspected abuse? Did they know the legal penalties for not reporting suspected abuse? Very few people could respond positively to these questions. None of the former students and parents had any idea if such policies existed. Some of the educators talked about some of the issues being addressed in school handbooks but only two were aware of the legal responsibility to report and the possible legal sanctions for not reporting. No one could produce a school policy that addressed the issues. This dearth of information is not unusual as Wishnietsky



(1991) and Shakeshaft and Cohan (1993) reported finding few schools with policies covering these issues and when they did find policies, Shakeshaft and Cohan found that "school officials may not be responding effectively to the abuse that does occur, in part because school procedures and policies have not been developed to protect students from abuse" (p. 520). The school systems need to adopt and implement policies and procedures that can serve as a protection for themselves and for their students.

School systems and agencies in the State who are responsible for the well-being of students could design a plan of action that would coordinate the efforts of all those concerned to serve the best interests of both the students and the affected systems. In many cases of student sexual abuse, there are several agencies, including law enforcement, who are designated by North Dakota laws to be a part of the reporting and investigation of suspected sexual abuse of a student by a school employee. A pro-active plan, designed with input from all parties with legal responsibilities could assist in preventing systems entering into reactive modes which often bring about denial, a cover-up, or lead to defensive behavior rather than beginning the legally established reporting procedure. Those same officials should also be prepared to initiate the legal sanctions now in place against school personnel who are not fulfilling their lawful obligations. Hopefully, this coordination would allow school systems to view their efforts to protect their students from abuse, from either internal or external sources, as positive and the appropriate action.

Finally, there are many hours of tape recordings and data, (particularly from perpetrators and victims in this study) that merit additional, close attention. Within those tapes perhaps lie the answers to some questions such as: What causes a teacher to cross

the line and victimize students? Are there characteristics or attitudes that perpetrators share that might forewarn their eventual intentions? How can students who are potentially at risk be identified before a victimization occurs? Can school systems deter the victimization of their students by recognizing a potential situation and take measures to prevent a crisis? Is there a possibility for finding hiring screening tools that can aide a school district in insuring their students will not be placed in a school setting with a potential perpetrator? Is there a means to reach into our communities and churches to eradicate continuing beliefs that female students are to blame for their victimizations? From the many readings of the data and reviews of the tape recordings, I am confident that much headway could be made toward answering these questions, and others, if time and monetary support were available for further research. Who better knows the triggers, fears, and methods of victimization than those who have been victims, perpetrators, and hapless observers of those acts? I would like to have the opportunity to try to further this research.



## APPENDICES

## Appendix A

Marilyn,

Hope this is your current email address.

This letter is long overdue but I had misplaced your address and now the lost is found so I will write before I lose it again!

Lots has happened since I've last seen you. I made it through the candidacy process, including the psychological testing. That led me to some therapy sessions with a psychologist. The "tester" felt I needed to resolve issues regarding the [victimization] situation so I had 3 sessions with [a psychologist]. He was a wonderful therapist for me and in 3 sessions declared me ready! Actually, I feel the time spent with you was my "real therapy" and we worked through some tough things. I just wanted to thank you for the opportunity to do that and to allow me to visit with my parents and old friends and classmates about that long-ago experience. It opened up some closed doors that allowed me to "deal and heal"! I haven't talked with [one classmate] yet--so much has been happening in our lives.

So, I have been admitted to [a college] and will begin internet classes in Sept. We have accepted a [new position]. Lots going on in our lives! This follows a busy summer with reunions and family things. I quit my stressful job and am glad to put that behind me.

I guess I need to continue packing this morning but wanted to write you before anymore time passed. So, my thanks to you for all your good work on this project--I know you are helping a lot of people deal with the past, hopefully in a positive way such as mine. God's blessings to you!

"Valerie"



## Appendix B

### Questions for First Interview for All Participants

1. Tell me about your background - place or birth, birth family information, schooling, work history, etc.?
2. What role did you play in the case we are discussing?
3. How long ago did the events occur?
4. Tell me how you remember the situation in as much detail as possible,
5. What do you remember most vividly about that time?
6. Who do you remember most vividly?
7. Do you view the situation today, in the same way you viewed it then?
8. Why do you think the school officials decided to respond as they did?
9. Describe the victim [or yourself ] at that time.
10. Describe the perpetrator [or yourself] at that time.
11. How much input did you have into the decision-making process?
12. Who was the key decision-maker after the initial reporting?
13. Did you change in any way because of the situation?
14. Do you think the decision would have been different if the victim had been a girl [a boy]? How?
15. If you were able to go back and change anything about how you acted at that time, what would you change?
16. Has what happened to you during that time impacted your life in any way?
17. Has it impacted any family members?

## Appendix B (continued)

### Questions for Participants in Second Interview

1. Have you thought of anything that you would like to add about anything we discussed the last time we met?
2. Have you talked to anyone about any of the topics we discussed last time? If so, what did they tell you that helped you "fill in the blanks?"
3. Can we go into detail about the victimization and discuss some key points you made last time?
4. How do you feel when you discuss the details of the situation again? If you can, please explain how you are feeling as we discuss the details?
5. How do you feel now about the perpetrator and/or victim?
6. How do you feel about people who made decisions in the school system?
7. How do you feel about people in the community and how they reacted?
8. How frequently do you remember that time now?
9. Have you had any counseling?
10. What questions would you like to ask me?



## Appendix B (continued)

### Questions for Third Interview Participants

1. Have you anything to add to what we discussed last time on any of the topics?
2. Have you talked to anybody to get further information? If so, what did they tell you?
3. How did your life change after the situation?
4. Tell me how you think events that happened then have impacted your adult life.
5. If you could go back to that time, would you do so, and if you did what would you change?
6. How did the situation affect you mentally and emotionally? Short-term? Long-term?
7. Does your family discuss what happened? Your children?
8. Do you feel you have any lingering effects?
9. Do you think your family has any lingering effects?
10. Do you have any questions for me?

## Appendix C

### Participant Consent Form

My name is Marilyn Ridenhower Snyder, and I am a graduate student at the University of North Dakota. I would like to invite you to participate in a study which I will be doing for my dissertation. The information I hope to obtain will be on how school systems deal with child molestation by personnel within their systems and how individuals in those systems are affected by the decisions on how to handle the problem made by those in authority in the schools. I know you have been put in a circumstance where you have coped with such a situation and I hope that you will share your hard-earned insight with me so that we can share information on dealing with a similar situation if it should arise in other school systems. The benefit for you, I hope, will be a sense of closure to your situation and a satisfaction in knowing that you may deter the need for someone else being involved in a similar situation.

I am asking you to meet with me at a place of your choosing at a time agreeable to both of us at least twice for an interview. I would ask that you choose a setting where you feel that you are comfortable enough to talk about a time that may have been difficult for you. I will do all that I can to ensure that when the study and/or dissertation are published that you will not be recognizable in any way to readers and any information that might possibly identify you will be released by me only with your permission, and I assume you will wish to determine the place of interview with that end in mind as well. I would like to meet with you for at least 60 minutes for each interview and would like to have at least a week's time elapse between interviews to give me time to listen to the audiotapes which I will make at each interview and transcribe them for my personal use for analyzing information. I will be the only one with access to the tapes and their transcripts and I will keep them secured in a locked receptacle for the three or more years they will be in existence after the completion of this study. When I have finished with them I will dispose of both in a manner that will render them useless.

I know that it may be uncomfortable for you to discuss this subject of student molestation and I wish to respect your feelings and will not subject you to any questioning or hold you to responding to any questions you may feel are not appropriate or are too sensitive. If at anytime during the interview you wish to stop, I will respect your wishes, and if you decide you no longer want to participate in the study, I will also respect your wishes. You will have access to notes and drafts of my dissertation if you wish to see them, and I hope we will be able to meet again when the study is completed.

I will make sure you get a copy of this form for your records and hope that you will contact me by calling 701-223-3412 or my advisor, Dr. Kathy Gershman at 701-777-3157 if you have any questions concerning this study.

As an assurance that you understand your role in this important study, if all of your questions have been answered to your satisfaction, and if you feel comfortable enough to begin the interview process, please indicate your willingness to proceed by signing below.

I have read all of the above and willingly agree to participate in this study as explained to me by Marilyn Ridenhower Snyder.

---

Participant's Signature

---

Date



## REFERENCES

- American Association of University Women (1993). Hostile hallways. Washington, D. C.: American Association of University Women Educational Foundation.
- Backman, E. L. and Backman, L. R. (1997). Sexual harassment and rape: A view from higher education. In Levant, R. F. and Brooks, G. R. (Eds), Men and sex: New psychological perspective, (pp. 133-155). New York: John Wiley & Sons.
- Basta, S. M., and Peterson, R. F. (1990). Perpetrator status and the personality characteristics of molested children. Child Abuse and Neglect, 14(4), 555-566.
- Beitchman, J. H., Zucher, K. S., Hood, J. E., daCosta, G. A., & Akman, D. (1991). A review of the short-term effects of child abuse. Child Abuse and Neglect, 15, 537-556.
- Beitchman, J. H., Zucher, K. S., Hood, J. E., daCosta, G. A., & Akman, D., & Cassavia, E. (1992). A review of the long-term effects of child abuse. Child Abuse and Neglect, 16, 101-118.
- Berson, I. R., Berson, M. J., Karges-Bone, L. and Jonathon, K. (1999) Screening teacher education candidates for sexual predators. Educational Forum, 63(2), 150-155.
- Blithell, S. (1991). Educator sexual abuse: A guide for prevention in the schools. Boise, ID: Tudor House.
- Chirban, J. T. (1996). Interviewing in depth: The interactive-relational approach. San Francisco, CA: Josey-Bass Publications.
- Clandinin, D.J. and Connelly, F. M., (2000). Narrative inquiry: Experience and story in qualitative research. San Francisco: Josey-Bass Publications.
- Collier, J. L. (1991). The rise of self in America. New York: Oxford University Press.
- Cooper, M.J. (1998). Probing for the truth. American School Board Journal, 185(9), 46-47.
- Creswell, J. W. (1998). Qualitative inquiry and research design: Choosing among

five traditions. Thousand Oaks, CA: SAGE Publications.

Darling-Hammond, L. and Goodwin, A. L. (1993). Progress toward professionalism in teaching. In G. Cawelti (Ed.), The 1993 ASCD Yearbook (pp. 19-52). Alexandria, VA: Edwards Brothers, Inc.

EEOC Policy Guidelines on Sexual Harassment, sec. 1604.11, 29 CFR Chapter XIV, Part 1604.

Evaluation, renewal or discharge of school superintendents, 3A N.D. Century Code, 15-47-38.2 (1987 & 2000 Supp).

Finkelhor, D. (1984). Child sexual abuse: New theory and research. New York: The Free Press.

Flowers, R. B. (1994). The victimization and exploitation of women and children: A study of physical, mental and sexual maltreatment in the United States. Jefferson, NC: McFarland & Co.

Ford, H. H., and Medway, F. J. (1994, March). School professionals attributions of blame in a case of child sexual maltreatment. Paper presented at the meeting of the National Association of Secondary Principals, Seattle, WA. (ERIC Document Reproduction Service No. ED 372 316)

Fossey, R. (1990,). Confidential settlement agreements between school districts and teachers accused of child abuse. West's Education Law Reporter, 63(1), 1-10.

Fossey, R. (1991). Child abuse investigations in the public schools: A practical guide for school administrators. West's Education Law Reporter, 69(4), 991-1008.

Franklin v. Gwinnett County Public Schools, 112 S Ct. 1028 (1992)

Friedman, J. and Bobilia, M. M. (1995). Betrayal of trust: Sex and power in professional relationships. Westport, CT: Praeger.

Heath, D. H. (2000). Schools of hope: developing mind and character in today's youth. San Francisco, CA: Jossey-Bass Inc.

Henlie, C. (1998). A trust betrayed. Education Week Special Report (On-line). Available: [www.edweek.org/ew/vol-18/14pedo.h18](http://www.edweek.org/ew/vol-18/14pedo.h18)

James, S. H. and DeVaney, S. B. (1994). Reporting suspected abuse: A study of counselor and counselor trainee responses. Elementary School Guidance and Counseling, 28(4), 257-263.



Kaplan, H. B. (1996). Is this what they mean by sex education?: Keeping sex offenders out of the schools. Journal of Law and Public Policy, 8(1), 51-78.

Kleemer, C. and others. (1988). Child sexual abuse prevention: Evaluation of a teacher training model. Child Abuse and Neglect: The International Journal, 12(4), 555-561.

Lamorey, S. L. and Leigh, J. (1999, March). Contemporary issues education: Rural risks, obstacles and resources. Paper presented at the Education for the New Millennium Conference Proceedings of the American Council on Rural Special Education, Albuquerque, NM. (ERIC Document Reproduction Service No. ED 429 739)

Leddy, S., and Cox, J. (1985, Oct). Child sexual assault in rural Alaska — issues and solutions. Paper presented at the Alaska Small Schools Conference, Anchorage, AK. (ERIC Document Reproduction Service No ED 429 739)

Legislative intent to the employment of teachers - Notice of discharge or failure to renew, 3A N.D. Century Code, 15-46-38 (1945 & 2000 Supp).

Lewis, M. (1992). Shame: The exposed self. New York: The Free Press.

Mawdsley, R. D. (1992). Sexual misconduct by school employees. NASSP Legal Memorandum.

Mawdsley, R. D. (1994). Sexual harassment in schools. Update on Law-Related Education, 18(2), 39-44.

Maxwell, J. A. (1996). Qualitative research design: An interactive approach. Applied Social Research Methods Series, 41. Thousand Oaks, CA: SAGE Publications.

McCracken, G. (1988). The long interview. Sage University Paper Series on Qualitative Research, 13. Newbury Park, CA: SAGE Publications.

McIntyre, T. (1986). Child abuse and the educator: A review of literature. Information Analyses (ERIC Document Reproduction Service No. ED 276 181)

Michaelis, K. L. (1996). Theories of liability for the sexual misconduct of teachers. Journal of School Leadership, 6(5), 540-554.

Minard, S. M. (1993). The school counselor's role in confronting child sexual abuse. School Counselor, 41(1), 9-15.

Murphy, D. (1992). A scandalous issue: Mass. Catholic diocese settles suit over child abuse charges. Education Week, 12(15), 25-26.

Nore, A. 1996, January). Your typical molester is not your dirty old man. First professional practices institute. Symposium conducted at the meeting of the Directors of the National Association of State Department Teacher Education and Certification, Vancouver, British Columbia.

North Dakota Bureau of Criminal Investigation (2001). Convicted sex offenders required to report. Bismarck, ND: Office of the Attorney General.

Penalty for failure to report, 10 N.D. Century Code, 50-25.1-13 (1965 & Supp. 2000).

Persons required and permitted to report, 10 N.D. Century Code, 50-25.1-03 (1965 & Supp. 2000).

Peshkin, A. (1978). Growing up American: Schooling and the survival of community. Chicago: The University of Chicago Press.

Redfield, K. E. (1995). Perceptions of needs among individuals with childhood sexual abuse history in adult education and learning support settings. Master's field project. (ERIC Document Reproductive Service No. ED 391 911)

Regotti, T. L. (1992). Negligent hiring and retaining of sexually abusive teachers. West's Education Law Quarterly, 1(3), 254-261.

Reyome, N. D. (1993). A comparison of the school performance of sexually abused, neglected and non-maltreated children. Child Study Journal, 23(1), 17-38.

Rhode, D. L. (1997). Speaking of sex: The denial of gender inequality. Cambridge, MA: Harvard University Press.

Ross, V. J. (1985) Child molesting: Stop it before it starts in your schools. Executive Educator, 7(1), 22-24.

Rubin, H. J. and Rubin, I. S. (1995). Qualitative interviewing: The art of hearing data. Thousand Oaks, CA: SAGE Publications.

School board powers, 3A N.D. Century Code, 15.1-09-33 (1999 & Supp. 2000).

Segal, Z. V., and Marshall, W. I. (1985). Heterosexual social skills in a population of rapist and child molesters. Journal of Consulting and Clinical Psychology, 53(1), 55-63.



Seidman, I. E. (1998). Interviewing as qualitative research. A guide for researchers in education and the social sciences. New York: Teachers College Press.

Shakeshaft, C. and Cohan, A. (1994a) In loco parentis: Sexual abuse of students in schools: What administrators should know. New York. (ERIC Document Reproduction Service No. ED 272 511)

Shakeshaft, C. (1994). Responding to complaints of sexual abuse. The School Administrator, (51)9, 22-27.

Shakeshaft, C. and Cohen, A. (1995). Sexual abuse of students by school personnel. Phi Delta Kappan, 76(7), 512-520.

Shoop, R. J. (1999). See no evil: Sexual abuse of children by teachers. High School Magazine, 6(7), 8-12.

Shoop, R. J., Firestone, J. and Lynn, M. (1988). Mandatory reporting of suspected child abuse: Do teachers obey the law? West's Education Law Reporter, 46(3), 1115-1122.

Smith, H. D., Fromuth, M. E., Morris, C. C. (1997). Effects of gender on perceptions of child sexual abuse. Journal of Child Sexual Abuse, 5(4), 51-63.

Spirito, J. (1994). One superintendent's nightmare: A personal study in handling sexual abuse allegations. School Administrator, 51(9), 35-37.

States' attorney - Duty to notify the education standards and practices board and the administrators professional practices board, 3A N.D. Century Code, 15-36-14.1, (1995 & Supp. 2000).

Stein, N. (1993a). No laughing matter: Sexual harassment in k-12 schools. In Buckwald, F., Fletcher, R. R., and Roth, M. (Eds). Transforming a rape culture (pp. 311-331).

Stein, N. (1993b). Secrets in public: Sexual harassment in public (and private) schools. Wellesley, MA: Center for Research on Women Publication Department.

Stein, N. (1993c). Sexual harassment in schools: The public performance of gendered violence. Harvard Educational Review, 65(2), 145-162.

Stein, N., Marshall, N. L., and Tropp, L. R. (1993). Secrets in public: Sexual harassment in our schools. Wellesley, MA: Center for Research on Women Publication

Department.

Steir, N. (1995). Sexual harassment in schools: The public performance of gendered violence. The Harvard Educational Review 65(2), summer, 151-163.

Stoneking v. Bradford Area School District, 882 E 2d 720 (3<sup>rd</sup> Cir. 1989)

Thorne-Finch, R. (1992) Ending the silence: The origins and treatment of male violence against women. Toronto: University of Toronto Press.

Title IX of Education Amendment of 1972, 40 Fed. Reg. 24128 (1975).

Tong, L., Oates, K., and McDowell, M. (1987). Personality development following sexual abuse. Child Abuse and Neglect, 11, 371-383.

United States Department of Education, Office of Educational Research and Improvement (1994, Jun). The condition of education in rural schools. (ERIC Document Reproduction Service ED 1.302: R 8813)

Urey, J. R. and Henggeler, S. W. (1983). Rural family interaction. In Childs, A. W. and Milton, G. B. (Eds). Rural psychology. New York: Plenum Press.

Wallach, M. A. and Wallach, L. (1983). Psychology's sanction for selfishness: The error of egoism in theory and therapy. San Francisco: W. H. Freeman and Co.

Weiss, R. S. (1994). Learning from strangers: The art and method of qualitative interview studies. New York: The Free Press.

Welch, A. J. (1987) Child molesters in the classroom. Master's Thesis, Queen's University, Kingston, Ontario, Canada. (ERIC Document Reproduction Service No. ED 295 081)

Wishnietsky, D. H. (1991). Reported and unreported teacher-student sexual harassment, Journal of Educational Research 85, 164-169.

Zakariya, S. B. (1988). You can identify people who shouldn't work with kids. Executive Educator, 10(8), 17-21.